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CONSERVATION OF RHINOS AND REAUTHORIZATION OF THE SIKES ACT

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SUBCOMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES

OF THE

COMMITTEE ON
MERCHANT MARINE AND FISHERIES
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

CONSERVATION OF RHINOS AND REAUTHORIZATION OF
THE SIKES ACT

NOVEMBER 3, 1993

Serial No. 103-76

Printed for the use of the Committee on Merchant Marine and Fisheries



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CONSERVATION OF RHINOS AND REAUTHORIZATION OF THE SIKES ACT

WEDNESDAY, NOVEMBER 3, 1993

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, COMMITTEE ON MERCHANT MARINE AND FISHERIES,

Washington, DC.

The Subcommittee met, pursuant to call, at 10:25 a.m., in room 1334, Longworth House Office Building, Hon. Gerry E. Studds [Chairman of the Subcommittee] presiding.

Present: Representatives Studds, Reed, Green, Young, Ravenel, Gilchrest and Fields.

Staff Present: Gina DeFerrari, Professional Staff; Sue Waldron, Press Secretary; Marvadell Zeeb, Staff Assistant; Harry F. Burroughs, Minority Staff Director; Thomas O. Melius, Minority Professional Staff; and Tod Preston, Professional Staff.

STATEMENT OF HON. GERRY E. STUDDS, A U.S. REPRESENTATIVE FROM MASSACHUSETTS, AND CHAIRMAN, SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

Mr. STUDDS. The Subcommittee meets this morning to discuss two separate issues—rhinoceros conservation and natural resource management on military installations. Although the two are clearly unrelated, they have one thing in common: more can be—and indeed must be—done to improve our efforts in both areas.

Wild rhinos face a dire situation in Africa and Asia. Killed for their horns, which are highly valued for medicinal purposes in the Far East, rhinos lie perilously close to extinction. The trade in rhinoceros horn is the leading cause of this crisis, and that trade must end. With a decision due any day by President Clinton on whether trade sanctions will be invoked against China and Taiwan, this hearing is particularly timely. Time is running out for these creatures. I look forward to hearing the witnesses' recommendations on what we can and must do to save these species.

Following the first panel, we will shift our focus to the management of fish, wildlife and other natural resources on our military lands. Mr. Young and I recently introduced H.R. 3300, which reauthorizes the Sikes Act and seeks to improve our stewardship of the 25 million acres controlled by the Department of Defense. These lands, equal in size to the State of Kentucky, contain a wealth of plant and animal life and provide critical habitat for nearly 100 threatened and endangered species. While there is no disagreement that military installations must be managed first and foremost to

meet the military mission, sound natural resource management will clearly benefit both the military and the critters. I am very pleased with the cooperation we have received from DOD while drafting this legislation, and I look forward to all the witnesses' testimony.

The gentleman from Texas.

STATEMENT OF HON. JACK FIELDS, A U.S. REPRESENTATIVE FROM TEXAS, AND RANKING MINORITY MEMBER, COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. FIELDS. Mr. Chairman, I want to express my appreciation for scheduling this important hearing today to discuss what effective measures can be taken to save the rhino from extinction.

I just wish my good friend, Tony Beilenson, could be here. Tony had planned to be here, and as many of you are aware, there are fires in Tony's district and he had to fly back to California. But he does a tremendous job on this particular issue, and I look forward to working with him in the coming weeks and months on a piece of legislation I will talk about in just a few moments.

I have to point out, though, that despite the best efforts of the Convention on International Trade and Endangered Species (CITES) and the international conservation community, rhino populations continue to plummet to what I think is an alarming level. In fact, of the five species of rhinos, fewer than 10,000 are left in the wild. In 1970 there were over 65,000 African black rhinos. Today, there are less than 2,000. And unless immediate steps are taken, this magnificent animal will cease to exist as a viable species throughout most, if not all, of its habitat.

Mr. Chairman, on September 7, 1993, the CITES Standing Committee noted that the measures taken by the People's Republic of China and the competent authorities in Taiwan are not adequate to sufficiently control illegal trade in rhinoceros horn. The Standing Committee stated that parties should consider implementing stricter domestic measures up to and including prohibition in trade of wildlife species.

On that same day, in response to a lawsuit filed by the World Wildlife Fund, Secretary of Interior, Bruce Babbitt, certified the People's Republic of China and Taiwan under the Pelly Amendment because of their flagrant violation of the CITES rhino trade moratorium. The Secretary has strongly recommended that the President prohibit the importation of Chinese and Taiwanese products into the United States.

I wholeheartedly support that recommendation. In fact, I along with you, Mr. Chairman, and our good friend, Tony Beilenson, sent a letter to the President requesting he immediately implement trade sanctions. The President must act on the Secretary's certification by the end of this week.

In my judgment, the worst possible message we could send to both those peoples struggling to save the rhino and those who are profiting from its demise is to simply ignore the recommendation of CITES and Secretary Babbitt.

Mr. Chairman, it is my hope that from today's hearing we will learn whether rhino poaching continues unabated, if either the

People's Republic of China or Taiwan has now implemented any meaningful conservation efforts, what effect trade sanctions will have on controlling the illegal rhino trade, and what can be done to assist countries like Zimbabwe in protecting their dwindling populations of rhinos.

Based on recent press reports, it is clear that the Range States do not have sufficient moneys or manpower to stop the poachers. I will, therefore, introduce legislation in the near future to provide financial assistance through the establishment of a rhino conservation fund. This bill will be modeled after the highly successful grant program we enacted in the historic African Elephant Conservation Act of 1988.

Let me say, particularly for the benefit of the cameras in the room, which I understand are sending a message back to Taiwan, it is not a question of if legislation is going to be introduced; it is just a question of when and what the sanctions are going to be. This Congress is not going to tolerate what is currently happening in certain countries, and I hope that message is clear. If it is not clear, then people should go back and look at some of the things that have happened in the past with certain members of this Committee in regard to people who are participating in unscrupulous actions.

Finally, let me just say, Mr. Chairman, it is my hope the President will prohibit the importation of certain products until the People's Republic of China and Taiwan comply with the CITES moratorium, and as I have just mentioned, I will not hesitate to introduce legislation establishing severe trade sanctions should the President decide not to act.

And, again, so that people are clear, we have two drafts that have already been written, and I am prepared to introduce either draft if the President does not act and particularly if the countries do not respond.

Thank you, Mr. Chairman.

[The statement of Mr. Beilenson can be found at the end of the hearing.]

Mr. STUDDS. Thank you. Are there additional opening statements?

If not, we will go to our first set of witnesses on this subject. Let the Chair apologize that he is going to have to leave fairly shortly, and I will ask someone else to assume the Chair.

We will take all five of you as a single panel in the order in which you appear on the witness list, and I trust you have been asked to confine your oral presentations to no more than five minutes. The written presentations will appear in full in the record. We apologize for the necessity of abbreviating your oral presentation, but that is the way life is.

You probably have been warned about those lights there. When the yellow light goes on in front of you, you have one minute left, and when the red light goes on, you are done. We apologize for the rudeness and bluntness of it, but it is the only way to move ahead here.

We will begin with Mr. Marshall Jones, Chief of the Office of Management Authority, U.S. Fish and Wildlife Service. Mr. Jones.

STATEMENT OF MARSHALL JONES, CHIEF, OFFICE OF
MANAGEMENT AUTHORITY, U.S. FISH AND WILDLIFE SERVICE

Mr. JONES. Thank you, Mr. Chairman. It is a great pleasure to be here today.

I am Marshall Jones, Chief of the Office of Management Authority of the U.S. Fish and Wildlife Service, Department of the Interior. I am very pleased to have this opportunity to provide the Committee with information on the threats to the rhinoceros, ongoing efforts to protect them, and additional steps that can be taken to save these highly endangered species.

There is only one aspect of this issue which I will not be able to comment on today, Mr. Chairman; that issue is President Clinton's pending decision on whether to impose trade sanctions against China and/or Taiwan. His decision will be announced in a report to Congress within the next few days.

Four of the world's five species of rhinoceros are among the most highly endangered of all living mammals due to poaching for their exceedingly valuable horn, as well as the loss of their habitats as a result of human population growth throughout Africa and Asia. If significant steps are not taken, these species could become extinct in the wild within a few years, according to recent reports by my colleagues from the Traffic Network and other respected international organizations.

Because of their imperiled or vulnerable status, by 1977 all five rhinoceros species were listed in Appendix I of the Convention on International Trade in Endangered Species, CITES, and as endangered species under the U.S. Endangered Species Act. However, the prohibitions on international commercial trade attendant to the CITES Appendix I listing have not been effectively implemented and rhinoceros populations have continued to decline.

Rhinoceros horn is highly prized in North and South Korea, Taiwan, and China as a fever-reducing drug, and in Yemen for ceremonial dagger handles. Unfortunately, as rhinoceros populations have plummeted, the price paid for horn has risen, so that now it is more valuable than gold.

Rhinoceros Range States have been unable to halt the activities of the poachers and the middlemen who pay for illegally taken horn. Many of the Asian rhinoceros horn consumers live in wealthier societies and can afford to pay ever higher prices for an increasingly scarce commodity.

CITES Parties, recognizing this problem, adopted a series of increasingly strict resolutions, first at the third CITES Conference of the Parties in 1981 in India, resolution 3.11; and later at the sixth CITES Conference in Ottawa, Canada, in 1987, because by that time it had become clear that the previous resolution had not been successful.

The resolution adopted in 1987 called for a complete prohibition on all domestic and international trade in rhinoceros products other than legal hunting trophies; use of economic, political, and diplomatic pressure on countries continuing to allow trade; the destruction of all government and parastatal stocks of horn; increased law enforcement action against poachers and traders; en-

couragement of the use of substitutes for rhinoceros horn; and development of rhinoceros conservation strategies.

At the 1992 CITES Conference in Kyoto, Japan, the parties rejected a proposal from southern African countries to open up a legal trade in rhinoceros horn because the majority of the party countries felt that they did not meet the CITES' criteria for down-listing actions. Nevertheless, the parties engaged in a general discussion of the critical need for further action, including new and innovative measures.

After the Kyoto conference, the Fish and Wildlife Service began consideration of the Pelly Amendment to the Fishermen's Protective Act to induce consumer countries to act to stop the trade. On November 12, the World Wildlife Fund and the National Wildlife Federation petitioned the Secretary of Interior to invoke the Pelly Amendment against China, South Korea, Yemen and Taiwan for their continued trade.

This followed an August 1992 conference convened by the United Nations Environmental Program in Nairobi, Kenya, which highlighted the need for increased rhino assistance. The U.N. environmental program also decided to send a rhinoceros trade expert on a mission to key rhinoceros Range States and consumers to help close down the trade in illegal rhinoceros horn.

It was generally agreed at the UNEP conference in Nairobi that an estimated total offering of about \$7 million, about \$3.2 million of which was pledged by the United States for the next 12 months, represented only 13 percent of the needs of the rhinoceros Range States to protect their populations.

In March 1993, the CITES Standing Committee meeting was held here in Washington resulting in letters from the chairman of the committee to China, South Korea, Yemen and Taiwan that expressed concern for the toleration of international and domestic trade and the failure to destroy governmental and parastatal stocks.

On June 1, 1993, Secretary Babbitt wrote to Beijing and to Taipei stating that the Fish and Wildlife Service had recommended, under the terms of the Pelly Amendment, that he certify that nationals of China and Taiwan were diminishing the effectiveness of CITES by their trade in rhinoceros products and that they had 30 days to provide any additional information to support other action.

China's State Council issued a notice at that same time banning all domestic trade in horn and its products and giving a six-month grace period to holders of already manufactured products to sell them. Stocks were to be registered, sealed, and properly kept.

At the most recent meeting of the Standing Committee held in Brussels in September, Secretary Babbitt led the U.S. delegation where he announced that his decision that China and Taiwan were being certified under the Pelly Amendment while holding in abeyance his decision regarding South Korea and Yemen. He also noted that he had asked the Fish and Wildlife Service to continue to monitor South Korea and Yemen's activities to control the illegal trade. The Secretary also described the other requirements of the Pelly Amendment, of which you are well aware.

After the Secretary's announcements, the Standing Committee decided that the measures taken by China and Taipei were not ade-

quate and that CITES parties should consider taking stricter domestic measures, including prohibition of trade in wildlife species. The Standing Committee also adopted four criteria by which the future behavior of China and Taiwan would be judged.

The Standing Committee also agreed to send technical delegations to consuming countries to be followed by a higher level CITES delegation to evaluate the results of their recent actions and to report to the next Standing Committee meeting in March 1994.

I am pleased to say that the United States has played an important role in the adoption of the Standing Committee resolutions and is continuing to work actively with the CITES Secretariat and CITES parties in formation of the follow-up delegations.

In summary, although the rhinoceros has been considered an endangered species under CITES for many years, only recently have governments and organizations become truly galvanized into meaningful action. The consensus strategy is to increase rhinoceros protection in the Range States while effectively eliminating market for horn and its products in the consumer countries.

It is still too early to judge whether the strategy is working, Mr. Chairman; however, I believe that actions taken by CITES and the United States under the Pelly Amendment have convinced some elements in consumer countries of the seriousness of our intent to end this trade, but the pressure must be maintained.

Those engaged in the killing of and profiteering on the rhinoceros must be aware that the international community is determined to put them out of business and see that they are brought to justice before the law and world opinion.

Thank you, Mr. Chairman.

Mr. REED. [Presiding.] Thank you, Mr. Jones.

[The statement of Mr. Jones can be found at the end of the hearing.]

Mr. REED. Our next witness is Diana E. McMeekin, Executive Vice President of the African Wildlife Foundation. Ms. McMeekin.

STATEMENT OF DIANA E. McMEEKIN, EXECUTIVE VICE PRESIDENT OF THE AFRICAN WILDLIFE FEDERATION

Ms. McMEEKIN. Thank you, Mr. Chairman.

I am Diana McMeekin, Executive Vice President of the African Wildlife Foundation, and I would like to thank the Chairman of the Full Committee and thank the ranking minority member of the Committee, Congressman Jack Fields, and, in absentia, Congressman Tony Beilenson, for his help in bringing this about. This would not have happened without some serious concern on all of their parts.

And with debate over the future of so much domestic policy swirling around Congress at this moment, it took particular prescience and courage to extend our interest overseas to the plight of the rhinos. What I want to do today is to explain how we can translate that interest and concern into some positive action.

You might notice that I have brought with me a rhino horn. Just in case anyone feels this is an academic issue, we are discussing the nasal projection of living animals. In this case, because this is a 20-pound horn, it would have come from an animal that was ap-

proximately four tons, maybe a bit more. This is an African horn and is on loan to me from the Mammalogy Department of the Natural History Museum.

The rhino, of course, along with the African elephant, is one of the big five game species of legend in Africa and, therefore, one of the prime reasons driving African tourism. Its prehistoric appearance and its rather aggressive reputation have made it a favorite goal for safarists of all kinds. Those people who go to see rhinos, contribute millions of dollars into the treasuries of some of the poorest nations in Africa and, therefore, in the world.

We are here because the continent has lost almost all of its rhinos, and the revenue that they might have attracted, because of the basically Asian market for rhino horn products, and wildlife products in general. Just since 1970, almost all of the rhinos in Africa, more than 90 percent have been lost. And in Kenya, for example, 98 percent of the black rhinos have been lost in 15 years.

There have been two basic approaches taken by African countries to combat this problem. In Zimbabwe and elsewhere in southern Africa, teams of wildlife professionals have removed rhino horns from living rhinos in hopes of deterring poachers. But not only have the dehorned rhinos been killed anyway, but there is evidence elephant herds have suffered as well because the poachers are frustrated at finding no rhino horn to take back for the pay that they expect. And there is even some suggestion that wildlife dealers are issuing orders to take dehorned rhinos simply because it is in their interest to reduce the entire population, therefore making the rhino horn that they have even more valuable.

The price of rhino horns is still astronomical; this would be about—this is African horn, less valuable than Asian horn—but it would be about \$43,000 worth of horn in Taiwan right now. No number of extra antipoaching controls can ever be put into the field that can effectively stop an unreasonable demand for an artificially valued substance such as this.

So, recognizing the hopelessness of protecting rhinos across its entire range of scattered populations, the country of Kenya adopted a different strategy in the mid-1980's. It gathered as many as possible of its live rhinos and put them into protected sanctuaries. Some of these areas are very small. The average size of them is 115 square kilometers. Many of them are in national parks: One the African Wildlife Foundation supports is Ngulia Sanctuary within Tsavo West National Park in Kenya. But many of them are on private lands, and that makes working with the private landowners an extremely important part of this. This is also the case in Zimbabwe, as many of you know.

When compared with some of the other Range States, Kenya has done well by using this sanctuary approach. In 1992, when one park in Zimbabwe lost 78 out of 80 rhinos, the entire nation of Kenya lost none. In fact, the Kenyan population has been increasing for a few years. There has not been a poaching of rhinos in Kenya since 1991. So this sanctuary approach does seem to be working.

I would like to emphasize one final point here to the Committee; that when the African Elephant Conservation Act passed the Congress five years ago, the elephant was many years farther from ex-

tinction than the rhino is today. We are not talking about decades down the road; we are talking about a few years, at most. And like the elephant, we are dealing with a large, charismatic, renowned animal, an animal any American schoolchild knows the name of.

What can the United States do? First, Congress should appropriate a sum of money, perhaps comparable to that set aside for the African elephant, to help governments with their conservation projects. In the face of opposition to foreign aid, which I know is rampant, I would argue money for conservation is a most effective way, a cost-effective way to invest in the developing world. Supporting wildlife conservation helps to stabilize the economies of these countries and, therefore, the politics and the human existence.

With a small amount of money, the U.S. could accomplish a great deal: ensure Kenyan sanctuaries are protected, allow Tanzania's new rhino management strategy to proceed, help Zimbabwe's last-ditch efforts to save its rhinos, and push ahead on the conservation of the rare Western black rhinos of Cameroon. And make no mistake, we are not just talking about rhinos. This will have a profoundly beneficial effect on all wildlife and human life in those regions.

Second, the President must show that the world will not allow, as Congressman Fields said, the continued trade in endangered species in Asia. As I said before, the African Wildlife Foundation does support these actions in the field but there is much more to be done than any one organization can do. So I hope that we will exercise our conviction here and that the Congress will have the courage to act on this.

I thank you very much.

Mr. REED. Thank you, very much.

[The statement of Ms. McMeekin can be found at the end of the hearing.]

Mr. REED. And our next witness will be Ms. Ginette Hemley, Director of TRAFFIC USA. And I would ask, if possible, that witnesses try to abide by our five minute signal, the lights, et cetera. Thank you.

Ms. Hemley.

STATEMENT OF GINETTE HEMLEY, DIRECTOR, TRAFFIC USA

Ms. HEMLEY. I would like to thank you and Mr. Studds, Chairman of the Full Committee, Mr. Fields, and Mr. Beilenson, in particular, for bringing this issue to the floor.

I am Ginette Hemley, Director of Traffic USA, which is a program of the World Wildlife Fund. We specialize in monitoring and investigating wildlife trade around the world.

We are here today because of a conservation crisis. Despite the efforts of governments and NGOs worldwide, as we have all heard, rhinos are on the verge of extinction. It is not just the sheer numbers that are alarming, it is the fact that this enormous loss of rhinos has occurred during the very time that the Convention on International Trade in Endangered Species has been in effect.

What has gone wrong? An array of cultural, social, economic, and political factors must be examined to explain this disaster, but

the simple answer is, we have not done enough. Range States have struggled and mostly failed to protect rhinos, in part because the world has not rallied to help them. But another, perhaps more significant problem, has been the utter failure of the primary rhino-consuming countries—China, Taiwan, Korea, Yemen, and others—Singapore, Hong Kong, et cetera—to enforce international and national trade restrictions and stem the demand for rhino products. And the world has, at least until recently, tolerated this.

In sum, our programs to conserve rhinos have been both incomplete and underfunded. They have been mostly one-sided so far, focusing on Range State efforts to conduct their own economic and social areas antipoaching programs, which all too often have not been sustained or fully developed. The outflow of rhino horn to the Far East and Middle East has continued.

One fact has become abundantly clear: until the consumer side of the equation is effectively tackled, rhino declines will continue. It is our conclusion nothing short of a focused, high-profile, and well-funded effort will save the few remaining rhino populations. We must combine our political and economic forces through a clear strategy, that addresses both consumer and producer country issues comprehensively.

Range state efforts must be fortified and put on a sustainable footing, looking to the future where rhino numbers have increased in recent years, as previous witnesses have pointed out, in Kenya, South Africa, Namibia and in Nepal in Asia, for the most hopeful approaches. The trick there has been the substantial investment in confined protected areas and sanctuaries. It has worked but it does not come cheap. Saving the rhinos will clearly cost us.

Congress can help on this side of the equation by authorizing the establishment of a special fund. I am very grateful to hear Mr. Fields' support for the establishment of a rhino conservation fund modeled after the very successful African Elephant fund set up in 1988.

We can also look to other creative funding mechanisms, such as the establishment of trusts or foundations. For example, Congress has provided U.S.A.I.D. the authority to provide monies for long-term conservation efforts in Latin America, under the Enterprise for the Americas Initiative. There may also be other conservation options through bilateral debt reduction or restructuring initiatives, and we will be happy to talk further with the Committee and Subcommittee on these issues.

Equally important as anti-poaching to Range State activities, and more important now than ever before, are the conservation and trade control measures in consuming countries. We have learned the hard way that without effective enforcement here, Range State initiatives are largely a wasted effort.

We are pleased at the leadership the Clinton Administration has shown in aggressively addressing the rhino, and for that matter the tiger trade problem, in China, Taiwan, Korea, and Yemen in the last several months through the Pelly Amendment process. It is fair to say that more has been accomplished in these consumer countries in the last six months than ever before, and we attribute this almost entirely to this action and the threat of trade sanctions,

yet we barely have these countries' attention and much more needs to be done.

We have barely begun to scratch the surface of the problem and, in our minds, based on recent information coming back from China and Taiwan, there remains a clear lack of political will to stop the rhino horn trade as a matter of priority, and time is running out.

China and Taiwan, as you know, were certified under the Pelly Amendment. Both countries have broadened their legal authority to address the trade problems, but there are huge gaps in enforcement; woefully small, next to nothing, in fact, penalties for rhino smugglers; and virtually no effort has been made to begin programs of reform within the medical communities where rhino horn products are used and promoted.

We believe that in order to achieve the urgent reforms needed in these countries, the U.S. must impose sanctions on wildlife product imports from China and Taiwan. We cannot think of any other way to sustain the pressure needed to get these countries to stop the devastating trade in rhino horn products. The Administration has pushed for strong environmental standards in the context of NAFTA, which includes allowing for sanctions to address trade violations and abuses. We cannot think of a more compelling case for sanctions.

We urge this Committee to do what it can to achieve the illegal trade control measures in the rhino-consuming countries, and we stand ready to help in any way that we can.

Thank you, Mr. Chairman.

Mr. REED. Thank you, very much.

[The statement of Ms. Hemley can be found at the end of the hearing.]

Mr. REED. Our next witness is Mr. Allan Thornton, President of the Environmental Investigation Agency.

Mr. Thornton, please.

STATEMENT OF ALLAN THORNTON, PRESIDENT, ENVIRONMENTAL INVESTIGATION AGENCY

Mr. THORNTON. Thank you very much. I would also like to thank Chairman Studds and Representative Fields for the opportunity to testify at these hearings today.

Mr. Chairman, the number one threat to rhinos is the continued demand for rhino horn, especially from consuming countries like Taiwan and China. In our investigations in southern Africa, we found most often that Taiwanese citizens have been and continue to be actively involved in the illegal dealing of rhino horn.

Taiwanese dealers, in fact, were directly responsible for the surge in rhino poaching experienced in southern African countries like Zimbabwe and Swaziland in the late 1980's. This happened because a Taiwanese syndicate bought about six tons of rhino horn here in Taiwan, essentially vacuuming all the pharmacies of about 80 percent of the all the horn available there, and they then sold it to the Chinese mainland via Hong Kong middlemen.

This caused the price for African rhino horn to rise very rapidly, from about \$1,400 a kilo to \$6,000 a kilo, which, in turn, further fueled the demand for new stocks of rhino horn. There was a

vacuum in the market in Taiwan and there was a big surge to resupply the pharmacies there.

As evidence of that, in the three-month period alone, in 1990, South Africa's endangered species protection unit intercepted over 100 rhino horns being mailed to Taiwan through South Africa. That is just one route, one gang, one operation.

In July of this year, we sent investigative teams to Taiwan and China to see how those countries were complying with their announced domestic bans on rhino horn trade and the various resolutions that CITES and the Standing Committee has passed. In Taiwan, we found rhino horn to be widely and easily available, with 19 of 24 pharmacies that we checked in five cities stocking it, despite almost a year of very intensive publicity in Taiwan about that country's leading role in illegal rhino horn trade.

In China, we also found rhino horn widely and openly available in markets and shops, including State-run shops in Chengdu, Guangzhou, and Shenzhen. Our team of investigators were offered by Chinese State officials one ton of rhino horn, which we secretly filmed, and I have here pictures taken from the video that Subcommittee members should have received copies of.

This is some of the hundreds of horns we were shown. This is about seven weeks after China announced its State ban on rhino horn, and this one ton, in fact, was part of the original six-ton shipment that came from Taiwan in the late 1980's.

I guess if you see that kind of rhino horn and you have been to southern Africa and you have met the heroic people who risk their lives on a daily basis to save their few rhinos, you cannot help but be outraged and feel that something more urgent has to be done to support rhino conservation.

Although we found the illegal trade in China and Taiwan to be inextricably linked, we feel it is clear Taiwanese dealers are the driving force behind the trade. In the past year Taiwan and China have done far too little and only with a greatest reluctance to even begin to combat their illegal rhino horn trade. Despite having huge resources available, Taiwan's efforts hardly match the efforts of the poorest of Africa's Range States in protecting rhinos.

One of the newest, and we believe most innovative, measures that has arisen as a result, was initiated by a number of African States earlier this year under the auspices of Zambia's Ministry of Tourism. Enforcement officers and wildlife personnel from army, customs, and parks gathered together and proposed setting up a new multinational task force comprised of wildlife law enforcement personnel, and this task force would be mandated to operate internationally, that is to cross borders, to pursue the international criminals who are dealing in rhinoceros horn.

That agreement by eight African States, which is in a draft stage and which has now been taken up by UNEP, United Nations Environment Program, in the political coordinating role, is known as "The Lusaka Agreement" and we would strongly urge the United States to give it its strongest support.

Mr. Chairman, this week the President must report to Congress his findings under the 60-day notice of the Pelly Amendment following Secretary Babbitt's certification of China and Taiwan for their continued role in illegal rhino horn and tiger part trade. The

illegal rhino horn trade has developed a momentum that can be stopped only by implementing a ban on wildlife trade with Taiwan and China.

It is vital to send a message to the world now, not next month or six months or a year, that the United States will not tolerate the extinction of rhinos or tigers. If Taiwan and China act forcibly to stop their illegal trade, these sanctions can be lifted.

We note that sanctions are consistent with the CITES process and, in fact, will invest much greater credibility in that process. Sanctions are consistent with GATT and vital to the integrity and survival of CITES and the survival of rhinos.

Thank you very much, Mr. Chairman.

Mr. REED. Thank you.

[The statement of Mr. Thornton can be found at the end of the hearing.]

Mr. REED. Our next witness will be Dr. Teresa Telecky, Associate Director, Wildlife and Habitat Protection, Humane Society of the United States.

Dr. Telecky.

STATEMENT OF TERESA TELECKY, ASSOCIATE DIRECTOR, WILDLIFE AND HABITAT PROTECTION, HUMANE SOCIETY OF THE UNITED STATES, ACCOMPANIED BY DAVID WILLS, HSUS VICE PRESIDENT OF INVESTIGATIONS

Ms. TELECKY. Good morning, Mr. Chairman, and members of the Subcommittee. I am Dr. Teresa Telecky, Associate Director of Wildlife and Habitat Protection for the Humane Society of the United States. Accompanying me today is David Wills, HSUS Vice President of Investigations, who recently completed an investigation into rhino conservation in Zimbabwe.

The HSUS is this Nation's largest animal protection organization, having more than 1.8 million members and constituents, and I am pleased to have this opportunity to testify today about rhinoceros conservation on behalf of the HSUS and other organizations listed in our testimony.

Mr. Chairman, can you imagine a day when there are no rhinos left in the wild? That day is just around the corner unless the international community can stop the trade in rhino horn which is the underlying cause of poaching. It has been nearly 20 years since rhinos were provided with complete protection from illegal international trade through CITES.

There were estimated to be over 100,000 rhinos of two African and three Asian species then. Today, fewer than 10,000 remain. At this rate of decline, there will be no rhinos left in only two-and-a-half years.

International treaties like CITES do not have the capacity on their own to stop illegal trade. Instead, they rely on the actions of their parties to encourage other parties to comply with the treaties. Over the past 15 years, CITES has repeatedly appealed to its parties to take action to stop the decline of rhinos, urging them to use all appropriate means, including economic, political and diplomatic

means to exert pressure on countries continuing to allow the trade in rhino horn.

This September, the CITES Standing Committee again called on CITES parties to consider immediately taking actions, up to and including prohibition of trade in wildlife species with China and Taiwan for their illegal trade in rhino horn. The HSUS has urged President Clinton to invoke trade sanctions under the Pelly Amendment against China and Taiwan. If the President fails to do so by the November 7 deadline, we urge Congress to pass new legislation calling for mandatory trade sanctions against these countries.

We would also support U.S. funding that is strictly limited to hiring, equipping, and training wildlife guards or moving rhinos to safer areas. The HSUS does not support funding for research on techniques that may have limited value in protecting rhinos. For example, rhino dehorning has received wide attention in recent years as a possible means to deter poachers, but as of April 1993, 94 dehorned rhinos have been killed in Zimbabwe.

In our opinion, dehorning has wasted a lot of money that could have been used to hire additional wildlife guards. Each dehorning mission costs about \$100,000 U.S. dollars and may result in the dehorning of only 10 rhinos. That same amount of money could have been used to hire, equip, and train 300 wildlife guards, one for each of the black rhinos that remains in Zimbabwe.

The HSUS also does not support funding for projects in countries that possess the financial means to address this problem but have not done so. Rhino horn-consumer nations, like China and Taiwan, do not lack funding, they lack commitment, and we believe that sanctions are the best way to secure this commitment. Funding should also not be made available to range countries that have misappropriated funds that should have been used to protect their rhinos.

For example, in 1992, the Government of Zimbabwe reported earning an equivalent of U.S. \$83 million from its national parks but the 1993 budget for its national parks is only \$6 million, of which only \$1 million will be spent on wildlife protection.

We urge Congress to restrict funding to rhino protection activities that have proven value in Range States that are doing their best to protect rhinos. However, we are not adverse to the United States providing technical assistance and training to any country.

Mr. Chairman, in closing, I submit to you that all five species of rhinos are teetering on the brink of extinction because of human greed and negligence. Rhinos need the United States acting on behalf of all countries that value the continued existence of rhinos to do everything in its legal power to save these species from extinction. There is no other government on earth that can fill this role, no other government that is both powerful and concerned about the survival of species that share this planet with us.

If the United States acts to save rhinos by imposing trade sanctions on these nations contributing to the trade of rhinos, then others will follow. If the United States provides funding to hire, equip, and train wildlife guards, then others will too. But if the United States ignores CITES' pleas for help in this impending disaster, then so will other nations, and rhinos will go the way of the

passenger pigeon, robbing future generations of an opportunity to experience the beauty and wonder of these special creatures.

Thank you, Mr. Chairman, and members of the Subcommittee for this opportunity to share our views about rhino conservation and suggestions for congressional action.

Mr. REED. Thank you.

[The statement of Ms. Telecky can be found at the end of the hearing.]

Mr. REED. Our next witness will be Mr. Rick Parsons, Counsel of the Safari Club International.

Mr. Parsons.

STATEMENT OF RICK PARSONS, COUNSEL, SAFARI CLUB INTERNATIONAL

Mr. PARSONS. Mr. Chairman, Representatives, ladies and gentlemen, I am Rick Parsons, Counsel for the Safari Club International. The written statement of John Jackson, III, our Vice President and Chairman of our Renewable Natural Resources Committee, has been presented to you for the record.

Other speakers have addressed the crisis of the rhino and the need for control of the illegal trade. I would like to turn to some other aspects of rhino conservation.

As you know, SCI is an organization of sport hunters. Sport hunters have been in the forefront of conservation in the United States for more than a century. We have put our money and our work where our mouths were and the result has been one of the most successful wildlife conservation programs in the world.

With the aid of this chart, which in the absence of an easel I will have to hold up for you, I would like to demonstrate one of the success stories of rhinos that has been alluded to but not discussed. This is the story of the southern white rhino in South Africa. The information on this chart was provided to SCI by the Natal Parks Board, the agency in South Africa that began the white rhino conservation program.

Also, the chart indicates the effort began in earnest in about 1960, when the wildlife authorities deemed it appropriate to authorize the sport of rhino hunting on game ranches. As you can see from the chart, in the years since sport hunting has been authorized, that is for about the last 10 years, the numbers of southern white rhinos have discontinued their dramatic decline, increasing by a total of about 2,000 animals, as you can see from here.

The top part of the chart shows you the money that was brought into the province of Natal, one of the four provinces of South Africa, through this activity.

Personal communications between South African officials and SCI in the last few years have confirmed that the money earned from sport hunting activities is the most significant economic element in the continuation of the Private Lands Conservation Programs, which has led to this success story. Other uses, such as the sale of breeding stock and tourism, are also elements, but nothing brings the value per unit of effort that tourist hunting does. Without that hunting, the other uses would not be sufficient to support the maintenance of the lands as protected areas.

As shown on the chart I just held up, the sport hunting of the southern white rhinos did bring in \$1,750,000 over a period of eight years, and an average of eight rhinos were taken each of those eight years. So what we have here is an indisputable illustration of something that some would deny; that is, that the provision of appropriate value to wildlife is a tremendous incentive in conserving that wildlife.

We are not just talking about a single species either. Thirty percent of the land in the Natal province that has been placed in protected status, 10 percent by the government and 20 percent by private landowners, is maintained for a wide variety of wild animals and plants. This is biodiversity conservation in a real sense.

I have chosen to emphasize this success story because the Subcommittee is considering steps that can be taken by the United States to aid in rhino conservation, and specifically to prevent the extinction of several species. We are aware that public attention is turned toward punitive measures the United States might take toward the consumer nations that are fueling the poaching that is driving the rhino to extinction. We have no problem with dealing sternly with the failure by these countries to stem the illegal and harmful trade. However, we suggest to the Subcommittee that when considering what to do about the rhino, it is important to remember the success story of the southern white rhino.

The sustainable use of wildlife works as a conservation measure. The turnaround of the plight of such species as the white-tail doe and turkey in our own country prove the case, as does the South Africa private lands conservation program for white rhino and other species.

I would also like to highlight one other aspect of our testimony. This deals with the need for the Subcommittee to take legislative action on the rhino issue. In the past, the Administration has preferred to stay away from species-specific legislation, but since 1989 this Subcommittee has recognized the need to develop specific legislation to deal with wildlife conservation. The African Elephant Conservation Act and the Wild Bird legislation adopted last year both illustrate that point.

We feel that specific legislation is needed for the rhino, and we think this need arises in part from limits in the Endangered Species Act when applied to a species that does not exist in the United States. The United States, under the Endangered Species Act, does not actually spend significant amounts of money on species that occur overseas; it does not develop recovery plans for them; it does not engage in section 7 consultation; nor does it designate critical habitat. About the only thing accomplished by a listing of a foreign species, such as the rhino, is to cut off the importation of those species.

It is with this in mind SCI developed draft legislation back in April for rhino conservation. It is similar to what Representative Studds has described in setting up a fund for use in Range States to develop, among other things, a value that is appropriate for the rhinoceros. We see this type of legislation as an important adjunct to the Endangered Species Act, especially in regard to foreign species.

I would like to also mention that I would like to submit for the record to the Subcommittee, a letter that was written from Zimbabwe from their management authority in CITES to the U.S. Management Authority. They have asked me to pass this on to the Subcommittee, and I will read one paragraph from it.

[This is the Zimbabwe CITES Management Authority.] "Our position stems from a fundamental difference in approach to conservation of that espoused in the legislation being considered in the United States. We seek self-sufficiency in our conservation through sustainable use of wildlife species, and do not support the concept enshrined in both your Endangered Species Act and the CITES treaty that a moratorium in trade is desirable, practical, or appropriate—in a case where that trade would be beneficial to the species."sa

We submit this without comment for your information. Thank you.

Mr. REED. Thank you very much.

[The statement of Mr. Jackson can be found at the end of the hearing.]

Mr. REED. Our final witness will be Dr. Thomas Foose, Program Officer of the International Rhino Foundation.

Doctor.

STATEMENT OF THOMAS FOOSE, PROGRAM OFFICER, INTERNATIONAL RHINO FOUNDATION

Mr. FOOSE. Thank you, Mr. Chairman. I want to commend the efforts of this Subcommittee toward developing possible legislation to assist rhino conservation and express my appreciation for the opportunity to provide testimony.

Today, I am representing a number of organizations that are deeply and extensively involved with rhino conservation: The Asian Rhino Specialists Group of IUCN, the International Rhino Foundation, the SAVE African Endangered Wildlife Foundation, and the IUCN Global Captive Action Plan.

I want to try to provide some strategic and hopefully pragmatic perspective on the crisis for and conservation of rhinos and will concentrate on the need to provide more support for the Range States.

Of the 10,000 to 11,000 rhinos surviving in the wild, over half are of one subspecies. There are only about 5,000 rhinos of the other four species combined. What have been the two most secure species, the white rhino and the Indian Nepalese rhino, both of them increasing in recent years, are almost certainly on the verge of significant declines.

Virtually all surviving rhinos are located in just 40 populations or protected areas in eight, perhaps 10 major Range States. The most spectacular decline over the last several years has been for the black rhino in Africa. However, all of the Asian species are rarer than either of the African species. And relative to these reduced numbers, the rate of poaching is perhaps becoming as intense in many parts of Asia as it has been in Africa. Hence, the Asian Range States need financial support just as much as African Range States.

In general, there needs to be a strategic approach to the problems of rhino conservation. To this end, all of the rhino Range States, individually and collectively, through the IUCN Rhino Specialists Groups, have developed detailed strategies and action plans for rhino conservation. These strategies and plans should be considered as any U.S. legislation is developed and implemented.

It is unfortunate that no representative from Range States could participate in these hearings. As the legislative process continues, it is essential that they be involved. All the Range States' strategies and action plans recognize intensive protection and management is essential for rhino conservation and, as commented earlier, these will be expensive.

Indeed, redeeming rhinos from the brink of extinction may require as much as \$55 million to \$60 million from outside the Range States over the next three to five years. These are the estimates from the UNEP Rhino Conference earlier this year.

Achieving this level of funding will require contributions from both government and nongovernmental sources worldwide. In general, nonrange States, like the United States, must provide funds over the next three to five years if rhinos are to survive the crisis.

As part of the global strategy, financial support at a level of \$5 million a year for the next five years from the United States would represent a real difference for rhinos. Further, it seems optimal that any funds from the United States be used to complement or leverage other funds. For example, the \$2 million GEF project in progress for southeast Asian rhinos, or the \$7 million program by the IRF and the \$5 million program by SAVE for rhino conservation.

Help from nonrange State governments and NGOs is critical right now, but for the long term, sustainability and self-sufficiency by the Range States themselves is essential. Long term, rhinos must have value to the local communities of humans who live where the rhinos do. Rhinos must be valued, not devalued, for these communities. All the more so because the problem for rhinos is predominantly poaching right now but it will be habitat loss in a major way very soon. The trend is already under way in Asia.

In conclusion, the possibility of U.S. legislation to assist rhino conservation is an excellent initiative. The most important objective for such legislation should be to provide funds for the immediate crisis. The possibility that such legislation would also include regulatory aspects should be pursued cautiously and adaptively, with an emphasis on exploring innovative costs and resulting in effective sustainable collegial solutions to the problems. And, again, further development of such legislation should include consultation of the U.S. Government with all Range States and other major players in rhino conservation.

To this end, I recommend that any legislation developed consider establishing establishment of an advisory council to assist with the implementation of the legislation and such a council to include representatives of the major rhino Range States, the IUCN Rhino Specialist Groups, and all of the major NGOs that have been and are involved in rhino conservation.

More than any other group of species, the rhinos are on the verge of becoming the extinction event of our time, an epic loss

whose psychological impact may rival the disappearance of the dinosaurs. The United States really has an opportunity to provide leadership here, and all of the organizations that I represent encourage and support it to do so.

Thank you very much.

Mr. REED. Thank you, Doctor. And thank you all for your insight and testimony.

And, Mr. Fields, do you have questions?

Mr. FIELDS. Yes, Mr. Chairman, I have several questions.

Mr. JONES, I will start with you. I have had the pleasure of working with you over a number of years, and I want to immediately say what a good job you do, but let me ask, what were the factors used in making the original certification of the four countries mentioned?

Mr. JONES. Thank you, sir. Thank you for your kind words. It has been a pleasure to work with you, too, over that period.

Secretary Babbitt's decision to make the certification was based on the fact that although there had been some actions taken by the consuming nations in Asia, particularly Taiwan and China, which were moving in the right direction, they still had a very long distance to go, and that the actions which had been taken this year and at the end of last year were insufficient to ensure, in the view of the Secretary, that the rhino marketplace would be shut down and all of the requirements of the various CITES resolutions, which I alluded to earlier in my testimony, would be complied with.

So there was an acknowledgment that there was some progress but that progress was only a first step in a very long journey which these countries and entities must take and they need to do it very quickly, since with every day that passed the reports of poaching became worse and the loss of species greater.

Mr. FIELDS. Well, let me just ask you. Has there been any quick action on the part of these countries?

Mr. JONES. Yes, sir, I would say that we acknowledge that these countries have taken action, and we hope that action puts them irrevocably in the right direction. China adopted a State Council notice last May, the full effect of which will not be implemented until the end of this month, November, but it reportedly bans all internal and external trade, and the Government of China is now taking steps to visit the provinces and to see that the implementation of this State Council notice is fulfilled by all the responsible officials. We believe that that is a serious effort on the part of the Government of China.

On the other hand, we also note that they have a very long way to go, as a very large market was responsible for, we believe, the deaths of many rhinos. And I would note also that tigers, although that is not the subject of this hearing, a thriving trade in tiger bone and tiger products was also involved in this same trade.

In Taiwan, last November, the authorities took steps which followed on previous legislation which seemed to ban all domestic and international trade. Once again, however, we see that the implementation of the ban is not proceeding quickly enough, and that there still appears to be rhino horn available in the marketplace

and that the pressure needs to be maintained so that they continue these first steps of progress which they have initiated.

Mr. FIELDS. What about the other two, Korea and Yemen?

Mr. JONES. In Korea, over this same time period, they made good on a pledge which was first made to us during a public meeting held in the Department of the Interior in January to join CITES by the beginning of July of this year. They did that. And they have taken action to enact legislation which bans all domestic trade in rhino horn. We felt that because of those actions they did not warrant certification.

In the case of Yemen, they have taken aggressive action to stop the import of rhino horn for use as the ceremonial dagger handles and have initiated contacts with the CITES Secretariat in Switzerland, moving toward the accession to the treaty. We felt, again, in that case, that they did not warrant certification at this time.

However, the actions of both Korea to fully comply with its CITES requirements and of Yemen to make good on its pledge and complete the process to become a member of the CITES community, are being carefully monitored and if we should see that their activities are moving in the wrong direction, then we could at any time reconsider the decision regarding Pelly certification.

Mr. FIELDS. And I am not sure that the elephant issue necessarily parallels the rhino issue, although I think there are some parallels, because to some extent we are talking about the same countries not willing to recognize what needs to be done in regard to the world community. And I just want to point out to you, and for other people in the audience, we have two drafts that we are ready to drop, depending on what the President and the Secretary do. Both are actually modeled on the Elephant Protection Act but both have sanctions. This one would prohibit fish and wildlife products from sanctioned countries from being imported into the United States, and both contain port sanctions, prohibiting the ships of countries that have been sanctioned from utilizing the ports of the United States.

I hope that I do not, along with other people, have to introduce this legislation, but we are prepared to do it and we are prepared to do it very quickly. And I think it is important for the countries subject to these sanctions to understand that we went through this process under the Elephant Protection Act; that the act passed very quickly, and Tony and I then met with the ambassador of Great Britain regarding the Hong Kong situation, we met with the Japanese ambassador, we met with the Chinese ambassador, and I remember being told that there was not a problem with ivory in China, repeatedly, over a period of months. I had great respect for the Chinese ambassador. I disagreed with him.

We found a fishing treaty that had to come before this Committee and we offered an amendment that denied China \$350 million in fishery exports in this country, and we were told not to do that, that things were changing.

We waited a while, things did not change, we passed it at the Subcommittee level, the Full Committee level, and then finally, China determined they were going to recognize CITES in regard to the African elephant and so my question to you, based on that, assuming that we may have to follow the same track on this issue,

what is the value of fish and wildlife products from these various countries, China, Taiwan, South Korea and Yemen?

Mr. JONES. Mr. Chairman, it depends on how you compute the values, but the value of imports of wildlife products from China is in the neighborhood of \$60 million a year. We can supply you with the exact numbers. From Taiwan, it is on the order of \$20 million a year. From South Korea, it is a little less than that, and from Yemen it is virtually none.

Mr. FIELDS. Well, let me ask you, when you say \$60 million, that does not coincide with our figures. Are you including fish products in that?

Mr. JONES. It includes those things which we classify as fish and wildlife. It does not include, for example, fish for human consumption and other products like that.

Mr. FIELDS. Which we think adds around \$300 million. It is a major league figure.

Mr. JONES. Yes, sir, but the Fish and Wildlife Service only maintains statistics on those things we consider wildlife products, which would include wild fish products but not food for human consumption and other products like that. The Department of Commerce would have to be consulted in order to have an Administration figure on the total value of the kinds of imports you are speaking of.

Mr. FIELDS. Mr. Jones, I just hope the countries represented here today understand that we have a track record on pursuing this type of issue. This is not someone making a hollow statement. Certainly, I can't speak for Mr. Beilenson, he is not here, but I do know our efforts are going to go forward, again depending on what the Administration does.

I hope the Administration does the right thing. I hope the countries do the right thing and legislation does not have to be introduced. But, if necessary, we will.

Ms. McMeekin, let me ask you, what type of financial assistance is needed in the host countries to actually do the job that is needed to protect the rhino?

Ms. McMEEKIN. Well, Mr. Congressman, there is really no amount of financial assistance that alone would solve the problem in Africa, and I think we do have to recognize this is just not an antipoaching situation that we really are looking at. That is why legislative moves to control the trade in these products and to influence the consumer countries are so vitally important.

But to specifically get to your question, I would say that if there were perhaps even as little as \$5 million, which, of course, is not an insignificant sum, but when we are talking about a continent three times the size of the United States, it is not really a major amount of money, applied to the support of the projects that are ongoing and to the innovative approaches that have not even been developed, such as some of the debt settlement and various negotiations that Dr. Hemley mentioned, there are many things that could be done in association with it.

I would say that \$5 million applied to the major rhino Range States for carefully thought-through programs, ranging all the way from tourism to sanctuaries to private land support, all sorts of programs that have already been tried successfully in China and

Nepal, for example, would make an enormous dent in the situation in the field.

But I would stress that unless we are doing something about the consuming nations, we are really wasting our money to be working in the field.

Mr. FIELDS. Mr. Parsons, do you have any comment on that? I know that Safari Club International has funded privately a number of different activities. I know the person sitting behind you, Mr. Murchison, through a private sector effort, has actually gone to countries and personally rewarded those people involved in antipoaching.

As I understand, that has been a very successful program, but do you have any comments on how funding should be utilized?

Mr. PARSONS. Yes. We attended the two UNEP meetings where UNEP tried to put together Range States and donor nations, and they had programs, as Dr. Foose referred to. There are plans written up. And the total amount came to something in the neighborhood of \$50 million, and what was available from donor nations was something on the order of \$5 million, so the shortfall can be easily calculated.

There are a wide variety of uses for the money, and we would encourage both the Subcommittee and the Range States to consider as many inventive possibilities as they can, because we are in a crisis here.

Obviously, as I said in my testimony, the organization I represent would favor, wherever feasible and biologically supportable, the use of sport hunting as an option, including—although now it may be too late for the dehorning option. We do not agree it would have been a waste had it been implemented at the time it first came up.

And also the costs associated with dehorning were much higher than we were told. I don't choose to debate that just now, but it was quite a bit different. That was an example of an opportunity that was lost. And if others like that raise their head, then I think we should address them.

If the gentleman doesn't mind, I think Mr. Foose had—he asked me a moment ago if he could offer something to the Committee as well, if that is all right with you.

Mr. FOOSE. I just wanted to reinforce the comments about costs of rhino conservation. The Asian Range States, for example, with which I have worked very closely, have prepared very detailed estimates of the amounts of money that would be required over the next three years to really effectively conserve their rhinos. And the amount of external funds they are estimating necessary is on the order of \$17 million.

The African Range States have similarly developed action plans with very explicit budgets, and their estimates are about twice to two-and-a-half times that much, and that is basically how the figure of \$55 million to \$60 million was calculated at the UNEP rhino conference.

Mr. FIELDS. Of course, there is enough money to do everything that needs to be done, and the most cost-effective thing for us to do is to bring pressure upon those countries who are affecting the consuming side to make sure they do the right thing.

Mr. Thornton, along that line, and, Ms. Hemley, if you have a comment also, the photo that you have there is compelling, and in your statement above the photo you talk about this being a State-owned pharmaceutical company. Are you saying directly or implying that the government itself is involved in an illegal rhino trade? Any government of the four we have talked about?

Mr. THORNTON. Well, in China, there is a very big State-run pharmaceutical industry based on traditional Chinese medicine. It is a very big export industry for them. And the main reason that China was buying the rhino horn was for the State-run industry.

Dr. Bradley Martin, as the U.N. Rhino envoy, was in Beijing last October and was told by the Chinese authorities then that there were eight-and-a-half tons of rhino horn stock in the State-run industries, and he saw several of these; one amounting to about 3,600 kilos in one location and another of about a ton and a half. What is disturbing, most recently, following our revelation of this one-ton stockpile, is that just about a week ago the Chinese authorities started saying that maybe we do not have eight-and-a-half tons of rhino horn stock after all.

If you are aware of the strange situation with the opening up of the economy in China, many State-employed officials also run their own parallel businesses at the same time they are employed by the government. So we have a big fear that there is a serious problem in China that the one ton, which is the biggest cache that has ever been revealed that we know of, is just one of several stocks that are in private hands or in the hands of people employed by a government who are using their position to manipulate on a personal capacity.

And we have grave concerns that the eight-and-a-half ton stockpile may be becoming lost or portions of it being salted away or smuggled out or otherwise removed from State-run control. So we have a very grave concern there.

In Taiwan, you have a lot of stocks around, privately held stocks, and one of the main problems in Taiwan is that the government has not done anything to deal with this. CITES has asked repeatedly that such stocks are destroyed. And at the recent Standing Committee meet in Brussels, it was asked that measures should be taken to seal all such stocks as a first step toward destruction; to set out a practical program of dealing with these stocks. And so far, we are unaware of any such measure whatsoever in Taiwan to do that, which we think reflects a general attitude of foot dragging by the Taiwanese authorities who really do not take this issue very seriously, which we think the people in Taiwan now take this very seriously, but the Council of Agriculture, unfortunately, does not.

Ms. HEMLEY. I will add to that, Congressman Fields, just to say that our concerns in the case of both China and Taiwan, in terms of lack of action, are principally that neither country, to our knowledge, increased the penalties under their wildlife laws, which do exist. They do have laws to restrict the trade.

There was a case just a few weeks ago where a member of the Bhutanese royal family was caught smuggling rhino horn in Taiwan, which you are aware of. She was arrested. She was caught, I think mainly by accident, because the Taiwanese are quite good at screening for the import of heroin. It was a very unsophisticated

smuggling attempt. She was simply carrying 22 Indian rhino horns in her suitcase.

She was put in jail and is now out on \$22,000 bail. But the maximum penalty she could get, if she is found guilty, which she probably will be, is about \$2,000 and about a year in jail.

We learned a couple of days ago that the Taiwanese Council of Agriculture has just a few days ago put forward to its Ministry of Justice a recommendation for an increase of penalty. But they just did that after many months of deliberation and consultation with the United States. It took them until just now to begin the process of increasing the penalty, and now it has to go through their entire legislative process to get that in place.

Mr. FIELDS. Let me ask the two of you, or anyone else who wants to jump in, I know my time has expired, but Marshall spoke a moment ago about improvements, and I don't want to put my friend in confrontation with anyone else, but he also has a much more difficult job perhaps than some in that he is here representing the Administration, and he has represented various Administrations very well, but would you comment on whether you think there has been progress over the last 60 days in the four countries that have been mentioned?

Mr. THORNTON. We do not see any progress whatsoever in Taiwan or China, and we admire and support the good faith and sincere efforts of the Administration to try to develop some progress there, but we feel the only progress that comes is when the threat of sanctions by the United States is raised. And every time it is raised there is a little bit of movement that is just enough to get themselves off the hook.

And that is why we feel it is so important now to have sanctions now and set out a clear program of activities and improvements that the Administration would like to see, and that when those are met, that sanctions are lifted and not wait for this long, long, slow process to get minor improvements over the next year or two. We will probably lose another 1,000 or 2,000 rhinos.

Mr. FIELDS. Thank you, Mr. Chairman.

Mr. REED. Thank you, Mr. Fields, and I would like to follow up with that question.

Specifically, Ms. Hemley, since many Administrations have failed to impose trade sanctions pursuant to the Pelly amendment, and the usual rationale is that good faith efforts are under way and we do not want to undermine those good faith efforts. It appears that this current Administration may take the same approach, and if that would be the Administration position, to draw back from imposing sanctions, how would you respond?

Ms. HEMLEY. Well, our concern is that we need sustained pressure and we see no other way than through application of sanctions to keep that pressure on.

Let me use an example of where we saw some problems when pressure was momentarily relieved. In the case of South Korea, when Secretary Babbitt announced his certification of China and Taiwan, and Korea felt they were off the hook, at least for the moment. We had been working in Korea, investigating the trade and trying to help them learn how to implement CITES, which they had just joined or just announced signing. Their cooperation

with us immediately ceased. A lot of our efforts were really put back several steps because they felt they were off the hook. The pressure subsided and that was that.

I fear that if the pressure is not sustained through sanctions that very much the same problem could take place in China and Taiwan. And I think that the Pelly process has done more to get these countries' attention, but if it is not used effectively, the weapon will diminish in its effectiveness overall.

Mr. REED. Thank you.

Mr. Jones, one could argue, following on Ms. Hemley's comments, that this dire situation with regard to the rhino is tailor-made for the Pelly amendment. The rhinos are close to extinction. Second, we have pinpointed countries that continue to pose the greatest threat, China and Taiwan. And, third, an international body, CITES, in this case, has issued a plea for trade sanctions because it is clear these two countries are not doing what they should be doing. Finally, we import sufficient fish and wildlife products from these countries that a trade sanction would have a real economic bite.

The question is, if we do not use the Pelly amendment under these conditions, when would we ever use it?

Mr. JONES. Thank you, Mr. Reed. Let me first point out again the caveat that I cannot discuss the upcoming decision of the President regarding whether to impose sanctions. What I can talk about is what is within the scope of the decision that Secretary Babbitt made regarding certification and the general climate of CITES.

I would agree with the comments that have been made by several of the other panelists that it has been through the pressure of threats that we have made progress, and that without the Pelly amendment, we believe that the CITES threats would probably ring very hollow. Thus, we see that Pelly is a very important tool of the world community.

We also have worked to encourage our counterparts in other countries to consider similar action. Nevertheless, we also acknowledge that in our dealings with those in the consumer countries who are responsible for what progress we have seen to date, it is mostly progress on paper, but progress we hope will be translated into effective action.

We are doing a balancing act all the time between the amount of pressure which will continue to move them in the right direction and the pressure which may produce an unintended backlash which will play into the hands of those who are resisting the efforts to change.

Those are things we are thinking about as we deal with our counterparts in China, the Chinese Ministry of Forestry, and in Taiwan, the Council of Agriculture. We think that the continued threat of Pelly action is very important in the CITES context as a whole, and we think that it has produced some progress.

The decision about what additional pressure is needed in order to continue that progress is the decision that the President must make now.

Mr. REED. Thank you, Mr. Chairman.

Mr. Fields, do you have a follow-on?

Mr. FIELDS. In listening to my good friend, I almost think I know what the decision is going to be, and, you know, when you talk about the threat out there, creating the pressure to do the right thing, it seems if you do not sanction at this moment, then the pressure is off and that any progress stops.

Ms. McMeekin's testimony earlier indicated this is not the African elephant situation; this is a situation where the rhinos are in a much worse condition than was the African elephant when we addressed that particular issue. So my question is, if you do not have the sanctions, then how can you argue there is pressure to compel these countries to continue to move in the right direction?

Mr. JONES. With all due respect, sir, I cannot comment on whether there will or will not be sanctions right now. That is a question which might be asked after the President makes his decision. But I would say that it is clear that we do have the attention of these countries and that even the threat of action has, in some cases, achieved results. The question now is what else is needed to continue the results that I think all of us agree are necessary.

The scope of actions which can be taken includes more than just the economic sanctions. We are working and will continue to work, with or without sanctions, to press through the court of world opinion and through CITES for action to continue. The Pelly amendment, with a credible threat of sanctions is obviously an important part of that process.

It is a judgment matter as to when and how sanctions need to be used. That is not an area that I am competent to address today, but I will say that we believe the Pelly Amendment has never been more effective than it has been to date, because we do think these countries have become aware that there will be consequences.

Our regret is that we were not holding this hearing and speaking about all this 10 years ago when we still had vastly larger populations of these animals and much more to work with. The fact is we are here today with some of these species at the brink of extinction and attempting to do what really should have been done many years ago, in a much compressed period of time.

Mr. FIELDS. Let me say, in disagreement with my friend, I continue to have great respect for him, and in understanding the process, I can understand why he is saying some of the things that he says, but let me just close by being as clear as I possibly can, and again not so much for the people in the audience, but for these people right over here. It needs to be communicated if we do not have sanctions—and I will not speak for Tony Beilenson or Chairman Studds, I will speak for myself—a piece of legislation is going to be dropped and there will be sanctions either on fish and wildlife products, which to me is a heavy-duty hit on the four countries that are mentioned, except possibly for one of the countries that does not have that much of a trade with the United States, and/or a sanction on utilizing domestic American ports.

Again, I hope that representatives of these countries will look at the track record of those of us who have been involved in this issue. We are not playing games. I hope that we never introduce legislation. I hope we do not have to do this. I believe strongly in having a free and open market, however, this is a crisis situation, and if governments are not willing to respond to this crisis and

take immediate action, not something in the future but something now, then you can expect this legislation to be introduced.

And I feel confident that we will have members on this Committee and outside this Committee working actively for its passage, and we will be innovative and we will look for the appropriate place to attach this legislation to move it as quickly as possible.

I don't know how I can be any clearer to the governments involved in this particular issue, this crisis. But I just hope that you will take action now; that we will not have to take the steps that I have outlined, but I want to make it a very solemn pledge and promise that it is coming, assuming that the President does not make a sanctioning announcement, which I hope he does, Marshall.

Mr. JONES. Sir, I would like to say I think your message is loud and clear.

Mr. REED. Well, on behalf of Chairman Studds, Mr. Fields and all the Committee, I would like to thank you all for your very valuable testimony and thank you very much, and we will now ask the second panel to come forward.

Mr. REED. If the second panel would take their seats, please. Thank you all very much for joining us. This panel will focus on the reauthorization of the Sikes Act, and our first witness will be Ms. Sherri Wasserman Goodman, Deputy Under Secretary for Environmental Security for the Department of Defense.

Miss Goodman.

STATEMENT OF SHERRI WASSERMAN GOODMAN, DEPUTY UNDER SECRETARY FOR ENVIRONMENTAL SECURITY, DEPARTMENT OF DEFENSE

Ms. GOODMAN. Thank you very much, Mr. Chairman. I am pleased to be here today.

Let me first begin with a few remarks about my position at the Department of Defense. It is a new position created by the Secretary of Defense to raise the level of importance in the Department to all environmental issues. Previously, environmental issues were treated at several levels below this new position of the Deputy Under Secretary, so it signals the Department's attention to all environmental matters. Conservation, which is the subject of the hearing this morning, in the context of reauthorization of the Sikes Act, is one of the four major components of our environmental program in the Department.

We all need an acronym to refer to major programs, if you have worked with the Department of Defense. I call our program C3P2. It stands for cleanup, compliance, conservation and pollution prevention—conservation being an equal pillar.

Let me focus on that area now and the subject of the hearing this morning. As you may know, the Department of Defense is the steward for 25 million acres of public land, an area about as large as the State of Tennessee.

Let me interject here that I will summarize my written statement.

Mr. REED. I would also urge your colleagues to do the same. I know you are under time pressure, and so are we. The testimony

will be a part of the record word for word and if you could all summarize, we would appreciate it.

Please go ahead.

Ms. GOODMAN. OK. Thank you.

This land that the Department of Defense manages represents all of our country's major land types and contains sensitive ecosystems and endangered species, irreplaceable historic and archeological sites, and many other important natural and cultural resources. The Department of Defense faces a challenging task to protect and enhance the qualities of these resources while training on military lands to defend the vital interests of the United States. Protection and enhancement of these resources ensures the continued availability of lands and waters to support training that is critical to mission performance.

For more than 30 years, the Sikes Act has proven instrumental in helping the Department of Defense manage its unique natural resources. The approximately 250 cooperative fish and wildlife management plans on military installations developed under the Sikes Act in coordination with the United States Fish and Wildlife Service and many State fish and game agencies have been the cornerstone for many of our natural resource management initiatives.

The current evolution by the Clinton administration to ecosystem management signals a new chapter in our understanding of the interrelationships between different ecosystem elements. No longer can we prepare separate management plans for individual elements, bind them in a single document, and presume we are practicing integrated natural resource management. It is important that we continue to move toward truly integrated natural resources management.

With several exceptions, we support the legislation being considered here today. We strongly support requiring integrated natural resource management plans for all appropriate military installations. We believe this is the most effective means of ensuring that resource management decisions on DOD lands are made by commanders based on informed consideration of all relevant factors.

We believe most of the amendments are complementary to the provisions to develop integrated plans, and they will help ensure that high quality plans are prepared and implemented.

The Department also agrees with establishing a framework that will adequately identify installations which are not complying with requirements to implement these integrated natural resource management plans, while at the same time not imposing undue burdens on the installations or natural resource managers.

Rather than a notice of violation scheme, the Department would like to propose an alternative approach to ensure that integrated natural resource management plans are developed and implemented.

First, the Department is committed to ensuring that natural resources are given the same kind of programming and budgeting as other environmental laws. I think that is a very important point, because today we budget for compliance by using the Class I category.

I am creating a prioritization system that will do the same; it will fund natural resource projects in much the same type of

scheme. Examples of these must-fund projects would include: Preparation of integrated natural resource management plans; commitments made under special agreements, such as one that is well known in this area, an agreement with the Chesapeake Bay; surveys of wetlands or endangered species, where their occurrence is probable and current, and where proposed land use could violate regulatory requirements; and natural resource damage assessments prepared in response to immediate legal requirements.

The second part of this is a commitment by the Department to establish internal audit procedures to ensure that integrated natural resource management plans are developed and implemented. One of my goals that is underway right now and shortly coming to completion, is to establish measures of merit for all elements of the Department of Defense's environmental security programs, including conservation.

These measures of merit will be uniform, across the Department of Defense, something which does not exist today, and which will accurately allow us each year to show progress in creating and furthering the integrated natural resource management plans. We would like to work with your staff to develop the measures that effectively summarize the progress of our installations in achieving fully integrated plans.

As you well know, military training requires the use of relatively large areas of land. In most cases this does not result in significant damage, but in some cases it has. In fact, most military lands are recognized for their relatively high habitat quality, for both common and rare plant and animal species. They are often sanctuaries for unique natural resources because there is no development or other activity which can degrade those natural habitats.

Now, I would just like to share with you a few specific examples of the way in which the Department of Defense has begun to contribute to natural resource protection. I know one could cite examples on the other side, where damage has been done; and let me say where current practices come to my attention, I will work very determinedly to resolve those.

I think there are already some examples where the Department of Defense has addressed natural resources; but one which earlier was a problem but today is probably a good news story for the Department is at Fort Bragg, which I visited several months ago and saw the work that the Army is doing there to protect the habitat for the red cockaded woodpecker.

The Army actually drills the holes in the pine trees to create the home for the bird; it takes the bird several years itself to create. So the Army is actually helping to protect the species there and is participating in the interagency team of scientists to promote integrated management also of the longleaf pine ecosystem in which this bird lives.

At Eglin Air Force base in Florida, this base has developed an integrated ecosystem management approach to resource planning on its more than 400,000 acres. Their efforts were recently recognized by the Nature Conservancy, which awarded Eglin its President's Conservation Award. And I might add, this is the first time the Nature Conservancy has given this award to an organization.

So this was quite an achievement, and the Eglin team and its base commander recently received this award. They are, indeed, very proud of it.

And, finally, at the Idaho National Guard Center at the Orchard Training Center in Idaho, they are developing a complete land management program using the Army's integrated training area management system. This includes land condition trend analysis for natural resources management, environmental awareness, and revegetation. It is the only military training area to be colocated with a national wildlife refuge.

The Department is building a new conservation strategy as part of its larger environmental strategy to conserve our natural and cultural resources so they will be available for present and future generations. As part of this strategy, we are committed to complying with all applicable laws and standards for natural and cultural resources; identifying all significant natural and cultural resources; managing them in consonance with the military mission, and, very importantly I think to your goals, planning, programming, and budgeting them to comply with all applicable laws and regulations; and, finally, involving the public. Public involvement is a very important part of all of our programs, and it is particularly important in the natural and cultural resources area.

In closing, I want to emphasize that the current Department of Defense leadership strongly believes that national security includes environmental security. I am committed to fully integrating environmental security concerns into our defense policies and responsible environmental performance into our defense operations.

We look forward to working with the Committee on this important bill. Thank you very much. I would be pleased to answer your questions.

Mr. REED. I understand, Madam Secretary, you have to return shortly to the Pentagon, and if that is the case, if we have any further questions, we will contact you and ask you to respond in writing.

Ms. GOODMAN. I would be happy to respond in writing.

[The statement of Ms. Goodman can be found at the end of the hearing.]

Mr. REED. And Mr. Shannon, of the Fisheries and Wildlife Management Assistance, I understand you do not have formal testimony but you will be available for questions as they come up.

Mr. SHANNON. That is correct, Mr. Chairman.

Mr. REED. And Secretary Goodman, if you have to leave now, we appreciate your testimony. It evoked fond memories. I, too, spent time at Fort Bragg, but not taking care of woodpeckers. I commanded a paratrooper company. I was surveying Eglin Air Force Base as a ranger student. I think you had better accommodations.

Thank you very much.

Ms. GOODMAN. OK. Thank you very much, Mr. Chairman.

Mr. REED. The next witness will be Mr. Gary Taylor, who is Legislative Counsel of the International Association of Fish and Wildlife. Mr. Taylor.

STATEMENT OF GARY J. TAYLOR, LEGISLATIVE COUNSEL,
INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGEN-
CIES

Mr. TAYLOR. Mr. Chairman, thank you for the opportunity to share the perspectives of the association with you on H.R. 3300. As you may be aware, all of the 50 State fish and wildlife agencies are members of the International Association of Fish and Wildlife Agencies.

Mr. Chairman, the association supports the amendments to the Sikes Act provided in H.R. 3300 and commends Chairman Studds and Congressman Young for sponsoring this legislation. These amendments, which would enhance the management of fish and wildlife and their habitats on installation lands are an area of great importance to State fish and wildlife agencies, since, as you are aware, States have primary management responsibility and authority for fish and wildlife within State boundaries.

We are pleased to see the reaffirmation of the involvement of the State agencies throughout the process of natural resources management on military installations. We can assure you of the continued commitment of the State fish and wildlife agencies to cooperating with the Department of Defense natural resource managers to advance fish and wildlife and habitat conservation objectives on military installations.

Military installations are important contributors to fish and wildlife and other natural resource objectives of this Nation, and, in most cases, can and should be managed to meet both military and conservation objectives.

To summarize a few key points, we are pleased that H.R. 3300 recognizes the contributions military installations can make toward meeting important objectives for wetlands protection and restoration on Federal lands.

We commend the recognition of the importance of the integration of sound natural resources management into military planning objectives for installations. We feel that this represents considerable improvement from years past when natural resources considerations were not always high priorities in the military mission. The integrated natural resources program, with a comprehensive habitat-based prevention focus, as envisioned by H.R. 3300, is much preferable to and more efficient than remedial action after degradation to habitat and fish and wildlife resources has already occurred.

We support the amendment requiring the use of collected fishing and hunting fees for resource activities on installation lands since this will certainly increase the stability of funding for these purposes.

Finally, we would encourage installation resource managers to continue to work closely with State fish and wildlife agencies, most of which have already developed statewide and comprehensive habitat plans for fish and wildlife resources. In that way, the limited funds available to the installation resource managers can be used for on-the-ground resource and habitat conservation measures and not in completing elaborate plans which may end up somewhere on a shelf.

It is important we move forward with implementing the activities necessary to meet the plan's objectives for conservation purposes.

Thank you again, Mr. Chairman, for the opportunity to share with you our perspectives.

Mr. REED. Thank you, very much, Mr. Taylor, for very accurate and articulate testimony.

[The statement of Mr. Taylor can be found at the end of the hearing.]

Mr. REED. And, Mr. Stout, the Chairman of the Board of the National Wildlife Federation, welcome.

STATEMENT OF GENE C. STOUT, CHAIRMAN OF THE BOARD, NATIONAL WILDLIFE FEDERATION

Mr. STOUT. Good afternoon, Mr. Chairman. I do represent the National Wildlife Federation where I serve as Chair of the Board of Directors. I work as a natural resource administrator for the Department of Army at Fort Sill, Oklahoma, however, in no way does my testimony here represent the official Department of Defense positions.

I am grateful for this opportunity. On behalf of the federation's almost five million members and supporters, I urge you to support this major revision of the Sikes Act. The federation recognizes and commends Representative Studds and Representative Young for their leadership and commitment in this effort.

The Department of Defense has a huge responsibility for the management of some of our Nation's finest lands among its almost 25 million acres. These lands not only provide the training and testing grounds for those who must defend our way of life, but they include some of the best wildlife habitats, with tremendous opportunities for protecting our biodiversity and providing excellent outdoor recreation.

The Sikes Act has grown, along with the complexity of the mission of managing natural resources on military lands. This latest revision has many critical items needed to enable Defense to provide continued stewardship on its lands. We endorse the expansion of the bill's original goals from wildlife management to all of natural resources. This is consistent with the need to manage all aspects of the land in concert with each other.

The no net loss clause with regard to installation lands and the ability to support military missions is clear recognition that lands must be managed for long-term sustained multiple use. Ensuring that defense lands are managed in this manner should reduce DOD requests for additional lands. Sustained use of natural resources by the public continues and enhances the military tradition of allowing its land resources to be used for recreation, nature study, agricultural and renewable natural resource products. We strongly endorse this provision.

Perhaps the greatest overall improvement in this revision of the Sikes Act is the required implementation of these integrated natural resource plans. All too often good planning efforts sat on the shelf due to no requirement or funding for implementation. We would like to see the language strengthened to emphasize that im-

plementation of natural resource plans is a must-fund item for defense.

We note that Defense is spending billions to clean up past environmental sins but relatively little to manage resources to prevent the degradation of healthy ecosystems and wildlife populations. The implementation of integrated natural resource plans will have significant payback and far fewer endangered species problems, improved training lands, less erosion, cleaner waters, and improved opportunities for outdoor recreation. This bill is a terrific investment for the American people.

The National Wildlife Federation believes the enforcement provisions of this bill are well balanced. We initially preferred enforcement language that included strong civil and criminal penalties. We agreed to forego this strong enforcement language for a notice of violation system with the U.S. Fish and Wildlife Service as the enforcement agency. We did this with the understanding that this was fully acceptable to Defense.

Frankly, we were shocked at Defense's last minute change of heart. The reality is that the Defense environmental funding system provides zero funds without external enforcement. If we lose the external enforcement section of this bill, we have a hollow bill.

Defense is obviously ready to support all these significant changes to the Sikes Act provided they are not required to fund the implementation of proactive natural resource programs, and this is not acceptable to the National Wildlife Federation.

We have reviewed the two recommendations provided to you by the National Military Fish and Wildlife Association to improve this bill. We endorse them enthusiastically. Their recommendations are based on intimate knowledge of defense lands, natural resources, and the system under which defense manages these lands.

Through your Committee's efforts, our troops will be better trained to defend our way of life, our biodiversity will be enhanced, and our outdoor recreations will continue on the 25 million acres of defense land.

I thank you for this opportunity to present the National Wildlife views on this important matter.

Mr. REED. Thank you, Mr. Stout.

[The statement of Mr. Stout can be found at the end of the hearing.]

Mr. REED. The final witness is Mr. Thomas Wray, President of the National Military Fish and Wildlife Association.

Mr. Wray, please.

STATEMENT OF THOMAS WRAY, II, PRESIDENT, NATIONAL MILITARY FISH AND WILDLIFE ASSOCIATION

Mr. WRAY. Good afternoon, Mr. Chairman. Today I sit before you representing the National Military Fish and Wildlife Association as their President. Although I am also employed as a Department of Navy natural resource program manager, my testimony today is strictly on behalf of the association and does not reflect official Department of Defense views on this bill.

The association is an organization independent of DOD that was founded on the principle of promoting sound natural resources management on DOD lands. Our 600-plus strong membership, comprised predominantly of installation natural resource managers, offers an on-the-ground perspective on this bill.

What began as a step in the right direction back in the 1960's is now poised to become a landmark piece of natural resources legislation. This bill represents the best thing that has happened to natural resources on DOD lands since the inception of this program over three decades ago.

For too long, DOD has not truly functioned as a land management agency, despite having jurisdiction on over 25 million acres. Accomplishment of the military mission is undoubtedly the primary use of these lands. However, maintaining the integrity of these lands is critical because quality training lands equate to quality training; and proper natural resources management supports those training goals.

This bill signals a change in the way DOD views its natural resources program. Integrated natural resource management plans will now be prepared instead of just cooperative fish and wildlife plans. This reflects a change that is sweeping through all levels of the natural resources profession, an integrated approach to managing natural resources.

We applaud your work in the integrated plan's contents. It supports the concept of biodiversity by ensuring that the conservation needs of all biological communities are considered. And it requires that the activities carried out to manage and protect these biological communities are consistent and integrated with one another. It identifies the significance of wetlands to the web of life, with a call for their protection and restoration, as well as a need to increase their acreage through construction. And, most importantly, it stipulates that clear objectives and goals are established and that timeframes in which to accomplish them are set.

Three other provisions relating to the plan warrant mentioning. Insurance of no net loss of training lands unless the loss is required to comply with environmental laws or improvement of natural and cultural resources management is truly significant. For the first time, national defense and natural resources protection are spoken in the same breath. Secondly, we strongly support giving the public the opportunity to comment on the plans. We are, after all, the stewards of the public trust. Finally, providing for the professional enforcement of natural resources laws and regulations completes the process of ensuring the conservation of natural resources on DOD lands.

The effective enforcement of Federal conservation laws on DOD lands has historically been a problem. While some quality programs do exist, they are the exception rather than the rule. The bill's single provision that allows the Secretary of Defense to directly enforce Federal laws pertaining to fish and wildlife conservation on DOD lands will finally result in a bona fide program.

The bill's requirement for sufficient staffing levels is especially important given the current downsizing activities within DOD. We believe this provision will compel DOD to rethink their priorities. Professional natural resources and conservation law enforcement

personnel are vital to the well-being of a command and the mission upon which that command is based.

Now, we can take all the great things that I have just said about this bill and tuck them neatly away somewhere. And while we are at it, we can do the same with the integrated natural resource management plan, because without compliance provisions, such as those provided in the most recent draft, the Sikes Act remains an optional law. The conservation pillar we hear so much about was on its way to becoming structurally sound. The retreat by DOD places it back on unstable ground.

We would like to thank the Committee and their staff for skillfully crafting this bill to ensure that natural resources on DOD lands are held in high regard. However, your efforts will be in vain unless the Sikes Act becomes a compliance-driven law with outside oversight.

Thank you for the opportunity to express the association's views.

Mr. REED. Thank you very much.

[The statement of Mr. Wray can be found at the end of the hearing.]

Mr. REED. One of the overarching issues, and Mr. Wray has just alluded to it in his testimony, has been the enforcement mechanism for the Sikes Act.

At present, under the proposed bill, the Secretary of the Interior would investigate violations of the act by DOD and the two agencies, along with the States, would decide how the violations should be corrected. DOD suggests, both here today, I think, and also in other forums, a self-policing enforcement mechanism.

I would be curious and interested in all of the responses or comments of the witnesses upon the enforcement mechanism. You might elaborate, Mr. Wray, or we will go down to other people.

Mr. WRAY. I will start.

The compliance provisions are the heart and soul of this bill. While the association had pushed hard for civil and criminal penalties to ensure compliance, we had grown comfortable with the compromise position of notices of violation. DOD's position not to support the NOV system deals a severe blow to the integrity of this bill. I can only express deep disappointment.

Their commitment to an internal audit to ensure compliance is not reassuring. DOD's past track record does not support the notion that they can police their own regulatory programs. DOD's internal audit initiatives, such as IG inspections, and the more recent environmental compliance evaluations, have identified deficiencies but lack a serious follow-up. All along, the Sikes Act has required cooperative plans, yet many installations today still have not achieved full implementation. Why? Because plan implementation is not compliance driven. It can be construed as optional.

Take a look at the environmental laws operating on DOD lands such as CERCLA and RCRA. They are compliance driven and they are enforced by the State and/or Federal regulatory agency responsible for that program. That makes complete sense. It follows that the Sikes Act should also be enforced by those outside agencies responsible for natural resources management, the State fish and wildlife departments and U.S. Fish and Wildlife Service.

DOD's intention to must-fund only nonrecurring projects, such as endangered species and wildlife protection, leaves many traditional natural resource management programs in jeopardy. Good luck to the nongame and game management programs that also serve to promote biodiversity.

Members of the association will be the most affected by the desired enforcement provisions. We are anxious to accept that responsibility because we fully appreciate the consequences of no enforcement provisions: lost training lands, fish and wildlife habitat degradation, loss of outdoor recreation opportunities and so forth.

It is essential that the Sikes Act be fashioned as a regulatory requirement with compliance provisions. Anything less will fall short of the goals we have set out to meet. We must not allow this chance to promote sound natural resource management on DOD lands slip away.

Mr. REED. Mr. Stout, you seem to be wearing a couple of hats here, if I am accurate. You work at Fort Sill, Oklahoma; is that correct?

Mr. STOUT. Yes, sir.

Mr. REED. And you are the representative of the National Wildlife Federation. So would you like to comment on the question of enforcement and self-enforcement?

Mr. STOUT. Yes, sir, for the National Wildlife Federation.

Defense is cutting the traditional funding of our fish and wildlife and natural resources program because of the cuts in maintenance. The installations are cutting them. They are depending on environmental funding. However, such funding, by Defense's own system, is based totally on reaction to noncompliance. If you do not have a notice of violation, you do not have enforcement. If you do not have timetables, you get zero funding. So the changes that Defense proposes removes the Sikes Act from environmental funding and makes the bill only the advice of Congress to Defense.

It was not mentioned, but in their testimony they talked that they will fund only nonrecurring things. I would like to give you some examples of things that are not nonrecurring; that will not get funding, with their words.

There will be no funding for regular monitoring of lands or wildlife. There will be no funding for programs to manage wildlife for hunting and fishing beyond those few permit dollars that the Sikes Act gives us, which, by the way, fund less than 10 percent of our programs. There will be no systematic repair of damaged lands, until notices of violations are issued because the damage is so great it is polluting our streams and it becomes almost impossible to fix it. There will be no programs to teach troops to be better stewards of the land. There will be no recurring needs funded to manage endangered species in sensitive places. If they are recurring, they do not intend to fund them.

Let me give you some examples of the cost savings of what we are talking about here. On the island of Hawaii, on one of our installations, we have a \$20-plus million range that is not allowed to open, which you funded. They are spending over a million dollars a year for environmental documentation of endangered species, yet they are spending zero for professional natural resource programs run by professionals on that installation.

The problem is not the Endangered Species Act. The Endangered Species Act is a lightning rod that catches it for no natural resources management. You heard mentioned Orchard Training Area's Integrated Training Area Management; something they are proud of. Well, now, within the Army, that program is vastly being underfunded because it is proactive. It has no mandates; no violations. So we agree with the program, but it is being zero funded in many places.

We had three people indicted at Fort Benning. Not due to the Endangered Species. That was the lightning rod. They were indicted because the fish and wildlife program and the forestry program were not even talking to each other.

The naval weapons station at Earle, New Jersey, had a \$12 million housing project delayed for two years due to wetlands construction. It ended up costing \$20 million, and they are forever paying monitoring and mitigation costs.

The Endangered Species Act catches the heat. And I am not saying we will not continue to have some problems there. But, if we start proactively managing programs, we are going to reduce the problems with endangered species and wetlands.

Basically, Defense is proposing to fund wetlands, endangered species, and in flood plains on a nonrecurring basis only. This is already happening. They are, in fact, proposing business as usual. The National Wildlife Federation is not here this afternoon to support business as usual. There are already too many plans sitting on shelves awaiting implementation.

Thank you.

Mr. REED. Thank you, Mr. Stout.

Mr. Taylor or Mr. Shannon, do you have comments?

Mr. TAYLOR. Mr. Chairman, only to suggest that the States are committed to working with both Interior and the Defense Department in whatever venues are available to ensure implementation of the plans.

We suggest that perhaps there might be utility in looking at the language in the cooperative agreements that are utilized to implement the act to maybe fine tune some of the compliance requirements in there. But we are committed to working with both departments to ensure that the objectives of the act are met.

Mr. REED. Thank you.

Mr. Shannon, any comments?

Mr. SHANNON. Mr. Chairman, thank you for the opportunity.

First of all, let me say that the department strongly supports reauthorization of the Act. More pointedly, toward the question at hand, I also would like to say that along with the appropriate State agencies, the service proposes to monitor or continue to monitor the work of the integrated plans, the management plans that are developed, and also to investigate any alleged violations of the Sikes Act.

Mr. REED. Thank you.

I want to thank you all for your testimony today, on behalf of Chairman Studts, and for your patience in sitting through the rhino panel, which was also very useful and constructive to this Committee's deliberations. And I know we will continue to, with

Mr. Studds' leadership and Mr. Young's leadership, continue to move this reauthorization forward.

Thank you all very much.

[Whereupon, at 12:25 p.m., the Subcommittee was adjourned, and the following was submitted for the record:]

TESTIMONY OF MARSHALL P. JONES, CHIEF, OFFICE OF MANAGEMENT
AUTHORITY, UNITED STATES FISH AND WILDLIFE SERVICE, BEFORE THE
HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES, REGARDING
THE STATUS OF THE RHINOCEROS

NOVEMBER 3, 1993

Mr. Chairman, I am Marshall Jones, Chief, Office of Management Authority, United States Fish and Wildlife Service, Department of the Interior. I am pleased to have this opportunity to provide the Committee with information on the threats to rhinoceros, ongoing efforts to protect them, and additional steps that can be taken to save these highly endangered species. There is only one aspect of this issue which I will not be able to comment on today, Mr. Chairman; that issue is President Clinton's pending decision on whether to impose trade sanctions against China and/or Taiwan. His decision will be announced in a report to Congress within the next few days.

Four of the world's five species of rhinoceros are among the most highly endangered of all living mammals, due to poaching for their exceedingly valuable horn, as well as the loss of their habitats as a result of human population growth throughout Africa and Asia. If significant steps are not taken, these species could become extinct in the wild within a few years. A recent report by the TRAFFIC Network (an international wildlife trade monitoring organization based in

Cambridge, England) estimates the following remaining populations of each species:

1. Javan rhinoceros (Rhinoceros sondaicus): less than 80 animals, confined to a single isolated peninsula in Western Java, Indonesia;
2. Sumatran rhinoceros (Dicerorhinus sumatrensis): 500-900 animals, declining throughout its Southeast Asian range due to deforestation and hunting;
3. Great one-horned rhinoceros (Rhinoceros unicornis): about 2,000 in Nepal and the Indian states of Assam and West Bengal, hopefully stable but subject to periodic poaching;
4. Black rhinoceros (Diceros bicornis): currently undergoing a catastrophic population decline. Based on the most recent reports, even TRAFFIC International's July 1992 estimate of 2,400 (down from 3,500 just one year ago and 65,000 in 1970) now appears to be too high.
5. White rhinoceros (Ceratotherium simum): about 5,000 members of the Southern subspecies (C. s. simum) in South Africa represent the only rhinoceros taxon which currently seems secure but even these are still vulnerable. The northern subspecies (C. s. cottoni) has been reduced to less than 30 animals in a single park in Zaire.

Because of their imperiled or vulnerable status, by 1977 all five rhinoceros species were listed in Appendix I of the Convention on International Trade in Endangered Species (CITES), and all except the Southern subspecies of the white rhinoceros (Ceratotherium simum) are also now listed as endangered species under the U.S. Endangered Species Act. However, the prohibitions on international commercial trade attendant to the CITES Appendix I listing have not been effectively implemented, and rhinoceros populations have continued to decline. Rhinoceros horn is highly prized in North and South Korea, Taiwan, and China as a fever-reducing drug, and in Yemen for ceremonial dagger handles. Unfortunately, as rhinoceros populations have plummeted the price paid for horn has risen, so that it is now more valuable than gold.

Rhinoceros range States, most of which are among the world's poorest countries, have been unable to halt the activities of poachers and the middlemen who pay them for illegally taken horn. Many of the Asian rhinoceros horn consumers who ultimately drive the cycle of poaching live in wealthier societies and can afford to pay ever higher prices for a medically valued and increasingly scarce commodity that attracts speculation.

At the third CITES Conference of the Parties in 1981 in India, recognizing that the Appendix I trade prohibitions had not stopped the poaching and illegal trade, the party countries adopted resolution 3.11, calling on the CITES Secretariat to urge both party and non-party countries to halt all international trade in rhinoceros products. By the sixth Conference of the Parties in 1987, in Ottawa, Canada, it had become clear that this resolution had not been successful and the parties adopted a stronger resolution (6.10).

Resolution 6.10 called for a complete prohibition on all domestic and international trade in rhinoceros products (other than legal hunting trophies); use of economic, political, and diplomatic pressure on countries continuing to allow trade; the destruction of all government and parastatal stocks of horn; increased law enforcement action against poachers and traders; encouragement of the use of substitutes for rhinoceros horn; and development of rhinoceros conservation strategies.

Actions taken to implement the Ottawa resolution were also not sufficient to stop the rhinoceros' decline. However, there was little opportunity for discussion of the rhinoceros trade at the next CITES Conference in Switzerland in 1989, due to the time consumed by the debate on the status of the African elephant and the ivory trade. The rhinoceros discussion was

resumed at the 1992 CITES Conference in Kyoto, Japan, where the Southern African nations proposed to open up legal, sustainable trade in rhinoceros horn removed from living animals as part of a captive breeding or ranching operation, in conjunction with the sale of stockpiles of rhinoceros horn, as a means of raising funds for rhinoceros conservation programs.

These proposals were rejected because the majority of party countries felt that they did not meet CITES' criteria for down-listing actions. Nevertheless, the parties engaged in a general discussion of the critical need for further action, ranging from innovative methods of legalizing (and hopefully controlling) the trade to the imposition of sanctions against the Asian rhinoceros horn consuming countries and entities. No agreement was reached, and so the issue was carried over to CITES committees scheduled to meet later in the year.

After the Kyoto Conference, the Fish and Wildlife Service began consideration of the Pelly Amendment to the Fishermen's Protective Act of 1967 to induce consumer countries to act to stop the trade. On November 12, 1992, the President of the World Wildlife Fund and the National Wildlife Federation petitioned the Secretary of the Interior to invoke the Pelly Amendment against China, South Korea, Yemen and Taiwan for their continued trade in rhinoceros horn.

At its June, 1992 meeting in Switzerland, the CITES Standing Committee adopted a resolution calling for a number of rhinoceros conservation actions. It called on consumer countries, especially China, to take prompt and strong action to control illegal trade, mount media campaigns on the plight of the rhinoceros, and search for substitutes. It called on them to take direct action to acquire and destroy rhinoceros horn, stating that failure to act would be a serious infraction. The Service, as a member of the Standing Committee, supported the adoption of this resolution, and also participated actively in a further discussion of alternatives at the July 1992 meeting of the CITES Animals Committee in Zimbabwe.

In August, 1992, the Executive Director of the United Nations Environmental Program (UNEP), at the urging of the CITES Secretary General, decided to convene a conference of rhinoceros range States and potential donors (both governmental and non-governmental), which eventually took place at the UNEP headquarters in Nairobi, Kenya, on June 28 - July 1, 1993. UNEP also decided to send a rhinoceros trade expert on a mission to key rhinoceros range States and consumers -- including Zambia, Zimbabwe, South Africa, Namibia, Hong Kong, Taiwan, Korea, United Arab Emirates, and Yemen -- to help close down the trade in illegal rhinoceros horn.

An unofficial report detailing the results of the mission and making recommendations was distributed at the June UNEP meeting. Two major issues at the UNEP meeting were: sources of funding for the range States and whether commercial trade in rhinoceros horn was an acceptable conservation measure. With regard to the adequacy of pledges of support made at the meeting, it was generally agreed that an estimated total offering of \$7 million for the next twelve months represented only 13% of the needs of the range States to protect their populations.

The question of opening up a legal trade in rhinoceros horn to raise funds for conservation was debated at length, with a large majority of the participants speaking against the proposal for legalized trade advanced by a number of Southern African States, including Zimbabwe.

The most important recommendations of this meeting were:

- * the establishment of a UNEP Elephant and Rhinoceros Conservation Facility, as a unit within the UNEP Secretariat and based at its headquarters in Nairobi, whose main function would be the technical coordination of strategies and project activities, to secure financial resources for and ensure governmental commitment to the implementation of elephant and rhinoceros conservation

strategies and action plans, and to assist in solving conservation problems.

- * a call on all Global Environment Facility (GEF) participants, the World Bank, UNDP, and UNEP to ensure that the biodiversity component of the GEF is used to fund the protection of important rhinoceros populations within the context of broadly based projects for the conservation of biological diversity. The recommendation emphasized to the World Bank, UNDP, and UNEP the extreme urgency of action to save rhinoceros and the need to process grant applications for this purpose at the maximum speed.
- * the need to review and amend national legislation, as appropriate, in order to ensure the conservation of rhinoceros populations, and
- * the need for inter-State cooperation in law enforcement and for regional agreements to combat illegal international trade in rhinoceros horn and other products, for example the proposed draft Lusaka Agreement. This agreement is designed to improve law enforcement against illegal trade in wild fauna and flora between African States. The meeting called on UNEP and donors to provide the necessary resources for the earliest possible negotiation of such agreements by the proponents and other interested parties,

provided these resources were additional to those provided for rhinoceros conservation field projects. UNEP was specifically requested to undertake a coordinating role in finalizing the negotiating text of the draft Lusaka Agreement.

Prior to the Nairobi UNEP meeting, the first CITES Asian Region Meeting was held in Thailand. Participating countries expressed profound alarm at the precipitous decline of rhinoceros populations worldwide, and called on all consuming countries to abide by the aforementioned resolutions adopted at the 1987 Ottawa CITES Conference and at the June, 1992 Standing Committee Meeting.

A March 1993 Standing Committee meeting held here in Washington resulted in letters from its Chairman to China, South Korea, Yemen and Taiwan that expressed concern for toleration of international and domestic trade and failure to destroy governmental and parastatal stocks. These letters warned that if actions taken in response to the letters were inadequate, the Standing Committee would recommend that the Parties no longer trade in CITES wildlife with those countries.

On June 1, 1993, the Secretary Babbitt wrote to Beijing and Taipei stating that the Fish and Wildlife Service had

recommended, under the terms of the Pelly Amendment, that he certify that nationals of China and Taiwan were diminishing the effectiveness of CITES by their trade in rhinoceros products and that they had 30 days to provide any additional information that would support other administrative action. Significantly and probably not coincidentally, on May 29, just two days prior to the Secretary's letter, China's State Council issued a notice banning all domestic trade in horn and its products and giving a six month grace period to holders of already manufactured products to sell them. Stocks of horn were to be registered, sealed, and properly kept. The pharmaceutical criteria for horn were cancelled and its pharmaceutical use prohibited. No letters were sent to South Korea and Yemen which were making substantial progress toward remedying the situation.

The most recent meeting of the Standing Committee was held September 6-8, 1993 in Brussels. Secretary Babbitt led the U.S. delegation to this meeting because he attaches great importance to the imminent threat of extinction of the rhinoceros and to the importance of CITES and the international community in preventing this from occurring. At that meeting, the Secretary announced the certification of China and Taiwan under the Pelly Amendment while holding in abeyance his decision with regard to certification of South Korea and Yemen. South Korea had just taken the formal steps

to become a member of CITES, in response to CITES and U.S. urging, and Yemen had also moved to effectively curtail the rhino horn trade and communicate with the CITES Secretariat about accession procedures. The Secretary emphasized that he had asked the Fish and Wildlife Service to continue to monitor South Korea and Yemen's actions to control illegal trade activity.

The Secretary also described the Pelly Amendment requirement that, after certification, the President may direct the Secretary of the Treasury to prohibit the importation of any products from the countries involved into the United States. It further provides that, within 60 days of certification, the President shall report to Congress regarding any action taken pursuant to the certification. The President's report on this case is due November 7.

After the Secretary's announcements, the Standing Committee decided that the measures taken by China and Taipei were not adequate and that CITES Parties should consider taking stricter domestic measures under CITES, including prohibition of trade in wildlife species. The Standing Committee also established the following criteria as adequate controls by consumer countries:

- a. identification and marking of stocks of horn;

- b. consolidation of rhinoceros horn stocks and their adequate control by the State;
- c. adoption and implementation of adequate legislative measures; and
- d. provision for adequate enforcement of the above measures.

The Standing Committee also agreed to send a technical delegation to China, South Korea, and Taiwan to focus on implementation and enforcement issues. This delegation is expected to visit China, South Korea, and Taipei sometime in November. Thereafter, a higher level CITES delegation will visit these countries and will make its report and recommendations to the next Standing Committee meeting in March 1994. I am pleased to say that the United States has played an important role in the adoption of the aforementioned Standing Committee resolutions and is continuing to work actively with the CITES Secretariat and CITES parties in formation of the follow-up delegations..

In summary, although the rhinoceros has been considered an endangered species under CITES for many years, and its declining status is well-documented, only recently have governments and organizations truly become galvanized into

meaningful action. The consensus strategy, as reflected by the CITES Standing Committee's action, is to increase rhinoceros protection in the range States while effectively eliminating the market for horn and its products in the consumer countries.

It is still too early to judge whether the strategy is working. There needs to be more protection for the rhinoceros in the wild. Regional cooperation is also necessary to stop the poaching and smuggling in Africa and Asia.

I believe that the actions taken by CITES, and the United States under the Pelly Amendment, have convinced some elements in the consumer countries of the seriousness of our intent to end this trade which endangers the rhinoceroses's continued existence. The pressure to do more must be maintained both in the range States and consumer countries. Those engaged in the killing of and profiteering on the rhinoceros must beware that the international community is determined to put them out of business and see that they are brought to justice before the law and world opinion.



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Rhinoceros Conservation in Africa

Testimony Prepared by: Diana E. McMeekin
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For: Environment and Natural Resources Subcommittee
Merchant Marine and Fisheries Committee

November 3, 1993

Before I begin, I would like to thank the Honorable Chairman of the Subcommittee and full Committee, Gerry Studds, as well as the ranking minority member of the Committee, Jack Fields, and Congressman Anthony Beilenson, for their help in bringing this hearing about. With debate over the future of so much domestic policy swirling about Congress at the moment, it takes a good deal of wisdom and compassion to extend our interest overseas -- and off the beaten track -- as far as the plight of the wild rhino. What I want to do today is explain how we can translate this interest into action.

The African Wildlife Foundation, for which I work, has been running conservation projects in Africa since 1962. We work "on the ground," with most of our program budget going directly into community work, park support, and other projects. We are not an advocacy group by any means, and yet, when a situation becomes so dire that only with the participation of governments outside Africa can a species survive, we enter the fray. This is, without any doubt, one of those instances.

You will hear today from some other members of the conservation community, who will describe an international trade in rhino horn that is at least 90% of the way toward eliminating live rhinos from the wild. I want to talk, briefly, about what that has meant for Africa.

The rhino is, along with the African elephant, one of the "big five" game species for African tourism. Its oddly prehistoric appearance and fearsome reputation have made it a favorite goal for safarists of all kinds, contributing millions into the treasuries of some of the poorest nations in the world. It is also well known in legend, both in Africa and, more infamously, in Asia, where most of the world's rhino horn lies in warehouses instead of on living animals. We are here because the continent has lost almost all of its rhinos, and the revenue they might have attracted, to the Asian demand for wildlife products just since 1970. In Kenya, for example,

where tourism provides more foreign currency than any other industry, the black rhino population dropped by 98% in a decade and a half.

There have been two basic approaches taken by African governments to this assault. In Zimbabwe, and elsewhere in southern Africa, teams of wildlife professionals have removed rhino horns from live animals, in hopes of deterring poachers. But not only have the dehorned rhinos been killed anyway, but there is evidence that elephant herds have suffered from the frustration of poachers finding only dehorned targets. With chilling calculation, the wildlife dealers of Asia may have buried the rhino: there is evidence that, by paying poachers simply to make the species rarer they can increase the value of their stocks. They may therefore continue doing so until the animal becomes extinct. With the price of rhino horn still astronomical, no number of extra anti-poaching patrols can protect a whole country's rhino range from those paid to harvest it in this way.

Recognizing the hopelessness of protecting rhinos across its entire range of scattered populations, Kenya adopted a different strategy in the mid-1980's. It gathered as many as possible of its live rhinos in a few sanctuaries, and has since been able to erect fences and patrol their perimeters effectively. Some of these protected areas are quite small -- the average is just 115 square kilometers -- but spread across the country they now hold 69% of Kenya's remaining herd. One in particular which AWF supports, Ngulia Sanctuary, is within Tsavo West National Park, but more than half are on private land. Working with private and communal landowners is a critical, if untraditional, link in maintaining protected area integrity in Africa, and so this system of private rhino sanctuaries has been truly innovative. AWF supports the program as much as its resources permit.

When compared with some of the other range states, Kenya has done well by its approach. In 1992, when one park in Zimbabwe lost 78 out of 80 rhinos, the entire nation of Kenya lost none. In fact, the Kenyan population has been increasing for a few years, but it's been a tenuous improvement. Keeping these sanctuaries intact can cost \$300 per square kilometer per year. Well over \$10 million has been spent just in the last ten years, for just this one species, and in just this one country. While other countries, including Tanzania, are looking at the Kenyan system as an example to follow, the finances are daunting. No other African country, with the exception of South Africa, has the resources to duplicate this intense program. As a result, most national populations are now at great risk, for lack of funding.

I want to emphasize to the Subcommittee this last point: that when the African Elephant Conservation Act passed the Congress five years ago the elephant was many years farther from extinction than its fellow pachyderm, the rhino. We are not talking about decades down the road, we are talking about a few years, at most. And like the elephant we are dealing with a large, charismatic, renowned animal, an animal any American schoolchild can identify. If we allow them to become extinct, will these children forgive us?

So what can the United States do? Allow me to suggest two courses:

First, the Congress should appropriate a small sum of money, perhaps comparable to that set aside for the African elephant, to help governments with their conservation projects. In the face of opposition to foreign aid which I know is sweeping Congress, I would argue that money for conservation is among the most cost-effective ways to invest in the developing world. As the new director of USAID has pointed out repeatedly, conservation of natural resources must be of prime importance in the coming era of restraint in our aid programs. Supporting wildlife conservation helps stabilize one of the most important industries in Africa, tourism, and it conserves the natural resources the continent desperately needs to develop. With a small amount of money the U.S. could accomplish a great deal: ensure that Kenya's sanctuaries are protected, allow Tanzania's new rhino management strategy to succeed, help Zimbabwe's last-ditch efforts to save its rhinos, push ahead on conservation of rare Western black rhinos in Cameroon, perhaps even assist the countries working on a joint enforcement agreement called the "Lusaka Agreement" to implement their ideas.

And make no mistake, we are not just talking about rhinos: each of these worthy projects would benefit local communities as well. Despite the occasionally misinformed press reports, communities have been involved in conservation in Africa for years, because it is to their benefit. Any future we can help give to a prime species like the rhino adds to the chances of communities surviving, across the continent.

Second, the President must show that the world will not allow the uncontrolled trade in endangered species in Asia to continue. The African Wildlife Foundation does not make such recommendations easily; as I said before we are not an advocacy organization. But the time has clearly come for a bluff to be called, and sanctions invoked against China and Taiwan under the Pelly Amendment. Though these two governments have, time after time, denied that their countries are trading centers, each time an outside investigation is carried out the results are obvious. In July 19 out of 24 pharmacies visited in Taiwan sold rhino products. Vast stores of horn were uncovered in China during the same period, mostly to sell to Taiwan. In fact, more horn exists in the warehouses of mainland China than on live rhinos. The President has until the end of this week to decide on the Secretary's certification notice, and I urge him to act positively.

In closing I would like to paraphrase from a presentation I made before the CITES Standing Committee this past September. As you know, the Standing Committee found that "parties should consider implementing stricter domestic measures, up to and including prohibition on trade in wildlife products, now." The U.S. government, including the Congress, has an opportunity to take the Standing Committee's recommendation and provide leadership for the rest of the world.

All we need to act is the conviction that what we are doing will at worst do no harm, and at best a great deal of good to the rhinos, and people, of Africa. But if the United States government

does not help that in itself is doing harm. And therefore, I ask the Committee to have the courage of its convictions, to move as it did five years ago for the African elephant. Partly as the result of that law the elephant is now recovering in most of its range, and poaching is down. But a conservationist's work, like a congressman's, is never done: African rhino populations are now less viable than elephants ever were. On behalf of the members and constituents of the African Wildlife Foundation, in Africa and around the world, I ask for your support.

Thank you again for your interest.

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STATEMENT
of
GINETTE HEMLEY
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WORLD WILDLIFE FUND
before the
SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
of the
HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES
on
CONSERVATION OF RHINOS
November 3, 1993

STATEMENT OF GINETTE HEMLEY
DIRECTOR, TRAFFIC USA
WORLD WILDLIFE FUND-US
ON THE CONSERVATION OF RHINOS
BEFORE THE SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES
NOVEMBER 3, 1993

I would like to thank the members of the Subcommittee on Environment and Natural Resources for the opportunity to participate in this hearing on rhinoceros conservation. I am Ginette Hemley, director of TRAFFIC USA, the wildlife trade monitoring program of World Wildlife Fund-US. TRAFFIC is part of an international network of 17 offices specializing in wildlife trade monitoring, research, and investigation. TRAFFIC offices, particularly in Asia and Africa, have devoted significant resources to investigating the rhino horn trade and its impact on rhino populations. TRAFFIC's main sponsoring organization, World Wildlife Fund, has for 30 years been the principal private organization supporting on-the-ground efforts to protect rhinos in both Africa and Asia, currently contributing to projects in more than 15 rhino range states across both continents.

We are here today because of a conservation crisis. Despite the efforts of governments and non-governmental organizations worldwide, rhinos are on the verge of extinction in the wild. Populations of all five rhino species have been reduced to fragments of their former sizes, almost entirely the result of poaching for the trade of their horns on the international market. Most wild rhino populations will likely be lost by the

end of the century if current poaching rates continue. In the case of the black rhino of Africa, we are witnessing the most rapid decline of a large land mammal in recent history -- a species that has gone from abundant to severely endangered in less than two decades. The black rhino now probably numbers fewer than 2000 in the wild, while the other African species, the white rhino, fares better with a population of about 5800. The three Asian species, the greater one-horned or Indian, Sumatran, and Javan rhinos, are all severely depleted, numbering about 1800, 700, and 50 in the wild, respectively. The latter species is considered to be the rarest large mammal in the world. But it is not just the sheer numbers that are alarming. It is the fact that most of the world's rhinos have been lost during the very time that the Convention on International Trade in Endangered Species (CITES) has been in effect, a treaty that has prohibited the international trade of all rhino parts and products since 1977.

What has gone wrong? An array of cultural, economic, and political factors must be examined to explain this disaster, but the simple answer is that we -- governments and the conservation community alike -- have not done enough. Range states have struggled, and mostly failed, in their efforts to save rhinos, in part because the world has not rallied to help them. Ironically, although the five rhino species are far more endangered than the African elephant, the latter species has captured the bulk of

global sympathy, and funding, in recent years. But another significant problem has been the failure of the primary rhino consuming countries -- China, South Korea, Taiwan, and Yemen -- to enforce international and national trade restrictions and stem the demand for rhino products. And the world has, at least until recently, tolerated this.

In short, our programs to conserve rhinos have been both incomplete and underfunded. The world's efforts to protect rhinos in Africa and Asia have been mostly one-sided, concentrating on range state activities to secure or reinforce protected areas and develop corollary anti-poaching programs. While these efforts have been crucial to protecting the few remaining rhino populations, they have too often not been sustained or fully developed. But the obstacles facing rhino conservation in the field are daunting. The wave of poaching that has swept Africa from north to south over the last twenty years has been in part a by-product of political and economic instability and corruption. The outflow of rhino horn from the continent has continued because of ineffective or non-existent intelligence-gathering and enforcement programs that have failed to break up smuggling rings and middlemen networks that feed the international market. The same challenges are now faced in Asian countries like India, where a recent upsurge in poaching has reduced the greater one-horn rhino population by several dozen animals. The common denominator in both instances is the

continuing demand for rhino products in the Far and Middle East, and the failure of the importing countries to arrest the trade and reduce consumption. One fact has become abundantly clear: until the consumer side of the equation is effectively tackled, rhino declines will continue.

Recent heavy rhino losses in Zimbabwe and India underscore that nothing short of a focused, high-profile, and well-funded effort will save the few remaining rhino populations. We must combine our political and economic forces through a clear strategy that tackles both producer and consumer country issues in a comprehensive and strategic way. Range state efforts to protect remaining rhino populations must be fortified and put on a sustainable footing, and consumer countries must accelerate their efforts to enforce trade restrictions and reduce demand for rhino products. While limited financial resources are an obvious and universal problem, we must look at creative funding mechanisms and incentives. The financial burden must be broadened and shared -- especially by countries that have underwritten the rhino's destruction through their continuing consumption of rhino products. And while any option pursued carries some risks -- i.e., there are no guarantees that any single course of action will succeed -- much can still be done.

Range State Needs

In the face of so many failures, it is important to consider the few instances where rhino conservation measures have worked. While these will not necessarily provide simple and universally-applicable solutions, there is little else upon which to reliably judge where future efforts will most likely succeed. In Africa, rhino populations have either stabilized or increased in three countries: Kenya, Namibia, and South Africa. Kenya was one of the first countries to be hit by the poaching onslaught of two decades ago, losing 99 percent of its black rhinos in 25 years, down to about 330 animals by the late 1980s. Fortunately, the decline has recently been successfully reversed through substantial investment in a national program of rhino sanctuaries, and numbers have increased to over 400 animals. In South Africa, the white rhino has recovered from near extinction at the turn of the century to a population of about 5300, through a program of translocation to game reserves and secure protection on state and private lands. In some areas, particularly Bophutatswana and Natal, limited sport hunting of white rhino is allowed, with trophy license fees ranging from \$15,000-\$26,000. In the case of Bophutatswana, a significant share of the monies earned from hunting fees goes back into park management and rhino conservation activities. For sport hunting on provincial lands in Natal, revenues also accrue to the Natal Parks Board. Efforts to protect the black rhino in both South Africa and Namibia in government-protected areas and through privatization schemes with

land owners have also met with some success, and numbers have increased in both countries in the last ten years, to about 800 and 500 animals, respectively.

In Asia, the population of greater one-horned or Indian rhinos in Nepal has increased in the last 30 years from about 320 to over 400 animals, and continues to grow. In Royal Chitwan National Park, home to the largest population, the government has developed an effective anti-poaching and informant rewards program that, assisted by the national army, has helped keep poaching to low levels (another beneficial factor is the general unavailability of firearms in the countryside due to strict gun control laws). The Chitwan rhino population growth rate has been sufficient to allow for the successful translocation of rhinos from Chitwan to Bardia Reserve, where a population of some 40 animals has been established in former rhino habitat. Although the national poaching rate in Nepal has increased in the last two years, losses are still low enough to continue providing for net growth in the total Nepalese population. In addition, Nepal passed legislation last month that will allow for the recycling of a significant portion of the revenues earned from park-related tourism back into parks and wildlife programs that will aid rhino conservation.

A common thread to these successful conservation efforts is the confining of rhinos to relatively small, secure protected

areas, generally away from unstable political boundaries, accompanied by a significant investment in protected areas infrastructure. But they do not come without a substantial price tag, nor may they be appropriate for all rhino range states. In Kenya, approximately \$5 million was invested in the sanctuary program between 1984 and 1991 from conservation organizations, mostly from external sources, with more funds contributed from bilateral aid agencies. In South Africa, much of the cost has been born by private enterprise. Either way the costs are substantial, and for programs to be successful, the investment must be sustained, a particular challenge for countries dependent on outside funding sources. South Africa, which has far more rhinos than any other country in the world, has for years invested amply in rhino conservation programs. The lesson is clear: saving rhinos requires substantial and sustained financial investment.

Zimbabwe has suffered some of the most severe rhino declines in the last decade, losing almost three-quarters of its black rhino population, down to an all-time low of 300-400 animals as of September 1993. Last year, the country resorted to the crisis-management measure of attempting to de-horn its entire rhino population to deter poaching, only to be forced to make major cutbacks in wildlife department staff because of externally-imposed government budget reductions. This, and other political difficulties, stymied follow-up anti-poaching protection

activities deemed necessary to make dehorning successful. Dehorning, without intense surveillance and monitoring, failed to stem poaching in Zimbabwe.

In September, Zimbabwe announced a revised emergency plan for the black rhino that focuses government efforts on four "intensive protection zones" (IPZs) within established protected areas or national parks. The plan incorporates actions to translocate, dehorn, and closely monitor about 190 rhinos in IPZs (about two-thirds of the Zimbabwe population) with a goal of achieving an annual population growth rate of at least 3 percent. The estimated average cost for maintaining these rhinos is about \$600 per sq km, or about \$8000 per animal per year. Zimbabwe is seeking several million dollars to implement this plan as a last-ditch effort to save its remaining rhinos.

It is important to point out that Zimbabwe, like Kenya and South Africa, has achieved some success in conserving rhinos on private lands, on individual ranches and through collective private land efforts known as rhino conservancies. The country's three established rhino conservancies in the lowveld harbor about one-third of the rhinos in Zimbabwe, and have thus far demonstrated a better capacity to protect rhinos from poaching than government authorities in charge of state land. These conservancies, wherein land use has been converted back from cattle to wildlife for tourism, sport hunting and other revenue-

earning activities, have established reward systems for information on poachers. They are also actively seeking to develop community-based conservation programs around their borders, which include direct employment opportunities for local people and the development of secondary industries. Although not totally immune from poaching pressure, rhino losses (a total of five so far) in the conservancies have been insignificant in comparison to those on state land.

Possible Funding Mechanisms

Like Zimbabwe, a number of African and Asian range states have recently outlined priority funding needs for rhino conservation. It is incumbent upon us, and all the CITES parties, to help them. The United Nations Environment Programme recently committed to helping find resources for priority rhino conservation projects through the establishment of an African Elephant and Rhino Conservation Facility. UNEP sponsored a donors meeting in June of this year, which provided a forum for review of funding needs and issues. Unfortunately, the results of the meeting, while perhaps a start, can only be described as disappointing. Very little new money was committed from donor countries, and governments were hesitant to commit funds to specific projects, even those of an emergency nature. Instead, they called upon countries to submit proposals through their governments for review under a separate process. While it was generally felt that the UNEP facility may offer some fundraising

opportunities, the UN bureaucracy may well be too burdensome to allow urgent rhino conservation priorities to be addressed in a timely manner.

The US government can clearly play a leadership role in helping to generate direct funding support for rhino conservation activities and leveraging support from other countries and sources. Bilateral arrangements for rhino conservation are probably a more effective course to pursue than the creation of multilateral rhino conservation bureaucracies. A valuable tool that Congress should seriously consider, and one that has worked well for the African elephant, would be passage of a specific law that authorizes funds for rhino conservation in both range states and consumer countries. The African Elephant Conservation Fund, administered by the Fish and Wildlife Service under authority of the African Elephant Conservation Act, has provided critical support for many projects in the last four years, and is a valuable precedent.

Given the shrinking amount of aid money available in these times of budget cutbacks, we recognize that significant amounts of new money are not likely to become available for rhino conservation. This makes it critical to spend existing funds effectively, and explore new ways of leveraging funds from different sources. We would like to point out that over the past several years, a number of innovative approaches to conservation

finance have been developed. Through the establishment of trust funds and foundations and debt reduction mechanisms, the US has helped a number of countries leverage significant funds for conservation. Congress has played a key role in several of these developments. For example, the Western Hemisphere Convention authorized reduction and restructuring of bilateral debt to help countries fund conservation efforts under the Enterprise for the Americas Initiative. More generally, Congress authorized USAID to provide grants to conservation trusts and endowments that provide a financial mechanism for long-term conservation efforts. WWF has considerable experience with advanced conservation finance, and would be happy to work with the subcommittee and others to explore options such as trust funds or foundations that might be appropriate for rhino conservation and key range state initiatives.

The cost of the battle against rhino poaching is high and range states in both Africa and Asia are clearly under acute pressure to finance the necessary defenses. In southern Africa, this has resulted in controversial proposals to sell and trade valuable government stockpiles of rhino horn accrued through smuggling busts, anti-poaching efforts such as dehorning, and natural mortality. With little money coming forward from the international community to assist with rhino conservation, the incentive to sell and export these stocks to pay for rhino defense programs is an understandable goal. Some have suggested

that legal trade mechanisms could be used to undercut the profits of middlemen traffickers and undermine blackmarket incentives behind the trade. Yet many questions remain to be answered and the longterm risks to rhino populations of exporting the horn (now illegal under CITES) render this option unacceptable to the vast majority of CITES parties. The US and other CITES nations, particularly the wealthy rhino consuming countries in Asia, should explore specific ways to help finance rhino conservation programs in the range states harboring this horn, to help relieve the pressure to liquidate the stockpiles.

Consumer Country Issues

Equally important to range state activities, and more urgent today than ever before, are conservation and trade control measures in consuming countries. Without effective enforcement in consumer countries and across borders, more funding for range states is largely a wasted investment. Until now, little effort has been put into the consumer side of the equation; that is, ensuring the enforcement of trade ban provisions and examining and implementing appropriate measures to stem the demand for and secure longterm change in the consumption of rhino products. It has become clear, woefully late, that without a concerted effort to enforce import bans and reduce consumption of rhino horn, range state efforts will not succeed. That is not to say that reducing demand and consumption, particularly in Asian communities, is an easy task; use of rhino horn in traditional

medicines is a practice steeped in centuries of tradition. But the fact is, there is no evidence to indicate that a concerted effort to reduce consumption and stem the demand through the promotion of substitute products in any of the major user countries has ever been tried.

Rhino horn is believed to be a potent remedy in Chinese medicines, used primarily for fever reduction and related ills. In the Middle East, it is coveted by Yemeni men as the most prestigious material available for use as handles of ceremonial daggers. Direct consumer demand drives the latter trade -- Yemeni men consciously choose to buy daggers with rhino horn handles, while, in general, the Asian trade in rhino horn is driven by medical practitioners who prescribe rhino horn to their patients. In other words, patients relying on rhino horn products generally do not specifically request rhino horn in their treatments.

It is impossible to gauge the full volume of rhino horn traded and consumed annually on a worldwide basis, although the trade appears to be operating at a somewhat lower level than a decade ago -- probably the combined result of reduced supply at the source, increased supply in consuming countries, and strengthened trade restrictions. China, South Korea, Taiwan and Yemen are considered the largest consumers, with Hong Kong, North Korea, Singapore, Thailand, and overseas Chinese communities

throughout the world representing smaller but still significant markets. Recent analyses suggest that the amounts of horn traded in recent years are not necessarily a good indicator of annual consumption rates. Rhino horn stocks have accrued in China, Taiwan, and perhaps other consumer countries, suggesting that supply may currently exceed demand in some markets. There is, however, also some evidence that rhino horn speculating is actively occurring; i.e. some traders may be banking on the extinction of the species and are withholding horn from the market in order to increase the price. While we have fairly detailed information on many aspects of the market in Taiwan, very little is known about end-use markets and consumption rates in China and Korea. Recent reports have disclosed that the markets of China, Hong Kong, Taiwan and other major markets are very much interlinked.

In Asia, the three key consuming countries have passed national restrictions on the import and sale of rhino horn. Yet the trade, and rhino poaching in Africa and Asia, continues. For years CITES parties have acknowledged the problem, but have offered little in the way of concrete solutions. I am pleased to say that the US government has played an instrumental role in moving this issue (as well as the potentially more serious problem of tiger trade) -- to the top of the CITES agenda, and has unilaterally taken action through the Pelly Amendment process to address the problems in consuming countries.

It is important to emphasize that more has happened in the last eight months in China, Korea, and Taiwan to address the problem of rhino horn trade than ever before, and we attribute this largely to US political pressure and the threat of trade sanctions. And while this has been critical, these countries have just begun to scratch the surface of the problem. We are convinced that the US and CITES parties must maintain the pressure if lasting reforms are to be put in place in these countries. At the same time, sanctions alone do not offer longterm solutions; the US must also commit to working with these nations, through appropriate technical assistance, cooperation, and information exchange.

Actions Needed in Consumer Countries

Recent reports from China and Taiwan suggest that, while both countries have taken some steps to comply with CITES requirements and US recommendations, both still appear to lack the political will to address the rhino horn trade problem in the urgent way needed to help stop the decline of rhinos in the wild. While both countries have recently broadened their legal authority for clamping down on the illegal trade, neither has embarked upon a comprehensive rhino trade enforcement program. China has not yet increased the penalties for violating the laws restricting rhino trade and sales. Taiwan has recently made some noteworthy seizures of horn entering the country, but penalties for violating the wildlife law constitute little deterrent to

smugglers. For illegal traders, there is little risk of getting caught, let alone suffer significant punishment. Neither China nor Taiwan has established a permanent national enforcement unit with the authority to broadly investigate illegal activities -- both claim to face budgetary and bureaucratic obstacles and have not articulated a plan to make endangered species enforcement a permanent and focused part of their wildlife conservation agenda. We see this as critical, because without an enhanced investigative and monitoring capability, the trade will simply go further underground and could actually increase, heightening the threat to rhinos in the wild.

In addition, neither China nor Taiwan has outlined specific measures to engage the medical and pharmaceutical communities in a process of comprehensive reform, including longterm awareness and educational efforts among medical practitioners, promotion of the use of substitute products, and general consumer/patient awareness. The traditional Chinese medical community, an integral part of Chinese culture, is probably the most influential sector of the public for securing longterm change in rhino consumption patterns, and it is critical that strategies to work with them, and with the trade associations marketing their products, be elaborated as a matter of priority.

Until the measures outlined above have been implemented, the US and other CITES parties should use all available means of

pressure -- political and economic -- to secure the reforms. WWF-US and the National Wildlife Federation, along with host of other NGOs and members of this subcommittee, have called for the US government to embargo wildlife product imports from China and Taiwan until satisfied that the problem has been adequately addressed. We urge this subcommittee to follow-up with the Administration to secure the appropriate action and to lay out specific targets and timetables for all steps necessary to stop the illegal trade.

But that is not to say that the other two principal consuming countries -- Korea and Yemen -- should be let off the hook. Virtually all of the problems outlined for China and Taiwan apply equally to Korea and Yemen, and much clearly remains to be done in both countries in order to stem the rhino horn trade and reduce consumption. In fact, unless the pressure for reform is kept on these countries, there is a very real possibility that trade could actually increase in those markets, as a direct result of the constriction of the other major trading centers. It is imperative to press for the same reform measures in Korea and Yemen that the Administration and CITES Standing Committee are calling for in China and Taiwan. Congress should call for certification of those countries under the Pelly Amendment if responses within a set time frame are not satisfactory.

In conclusion, TRAFFIC USA and WWF-US believe that the United States can -- and must -- carry out a number of specific actions that will help save the world's remaining wild rhinos. It is imperative that both Congress and the Administration use, as a matter of urgency, every available political, financial, and technical tool available to address the problems outlined today. We stand ready to help in any way we can.

Thank you.

THE CONSERVATION OF RHINOCEROS

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 Environmental Investigation Agency

For : Environment and Natural Resources Subcommittee
 Merchant Marine and Fisheries Committee

November 3, 1993

I would like to thank the Honorable Chairman of the Subcommittee and full Committee, Gerry Studds, and the ranking minority member of the Committee, Jack Fields for their efforts to arrange this hearing. It is encouraging that bipartisan support for effective measures to conserve the world's remaining rhinos marks the approach of this Subcommittee, and reflects the unanimous agreement among those interested in rhino conservation on the need for urgent action to protect rhinos.

The Environmental Investigation Agency became involved in the issue of rhino conservation by way of our undercover investigations into illegal ivory trading over the past five years.

Our investigators have undertaken detailed investigations in Africa, Asia and the Middle East into the illegal international ivory trade. We have repeatedly visited and investigated illegal trade in ivory and rhino horn, often with assistance from a variety of government and non governmental organizations in Tanzania, Kenya, Zambia, Mozambique, South Africa, Swaziland, Zimbabwe, Namibia, Malawi, Angola, Botswana, Dubai, Ajman and other parts of the United Arab Emirates, Taiwan, China, Singapore, Japan and Hong Kong.

We found that the illegal rhino horn trade often overlapped with the illegal ivory trade. We found many of the poaching gangs, middlemen, dealers, corrupt officials, military forces and their agents, transporters, entrepots, export routes, smuggling operations and consuming markets to be the same as those of the ivory trade.

Many rhino range states are developing economies that are very fragile and made even more vulnerable by the loss of their rhinos to poaching gangs, which erodes or destroys the real or potential economic benefits from tourism.

In our investigations in Africa we regularly came across information that pointed to the involvement of nationals and/or diplomats of Taiwan, China and both Koreas in poaching, dealing and smuggling ivory and rhino horn.

But in southern Africa, it was Taiwanese citizens most regularly involved in rhino horn trading and smuggling. Both Taiwan and China have been at the forefront of illegal ivory trade. The more we researched and investigated the more we were able to establish their dominant involvement in the rhino horn trade.

Many people will be familiar with the pre ivory ban claim that "The rhino horn ban never worked and an ivory ban won't work either." Fortunately the ivory ban has been a dramatic success and has proven to be the greatest wildlife conservation achievement of the 1980's.

EIA believes that new initiatives are needed to enforce the rhino horn ban. Most conservation efforts to protect rhinos have traditionally concentrated in range states. Repeated concerns have been expressed by the Parties to the Convention on International Trade in Endangered Species (CITES) at the failure of rhino horn consuming nations to cease their illegal trade in poached horn. Taiwan, China, South Korea and Yemen have been largely unresponsive to the appeals of conservationists and the international community to end their illegal trade in rhino horn.

Our southern African investigations were undertaken at a time when a new and intense wave of rhino poaching was occurring. Seizures and arrests by South Africa's Endangered Species Protection Unit (ESPU) reflected the intensity of poaching and the involvement of Taiwanese citizens.

In 1989, the ESPU arrested Michael Shen, a Taiwanese citizen with rhino horn and ivory believed to be on route to Taiwan.

In 1990, the ESPU intercepted 9 parcels containing 51 rhino horns on their way to Taiwan. Peter Liu, a Taiwanese citizen, was arrested. The ESPU seized 9 more parcels containing 53 rhino horns, posted in Manzini, Swaziland, and addressed to Taipei, Taiwan. Then Taiwanese citizens Lin Chiu-Yen and Chen Yung-Wu were caught by the ESPU with 29 rhino horns in their possession.

In 1991, the ESPU arrested Taiwanese citizens Wuu Pau Lee and Kang Lee for possession of 55 rhino horns. Later in 1991, customs in Kaohsiung, Taiwan seized 6 rhino horns smuggled aboard the South Africa cargo ship, the National Princess. Another 36 horns seized in Taipei soon after that. On December 8, 1992, Taipei customs seized 22 rhino horns and arrested the smugglers, but the influential businessman behind the deal, who resides in Kaohsiung, Taiwan, was never identified or prosecuted by Taiwanese authorities.

EIA decided to undertake two new initiatives to try to save the rhinos: 1) we launched a new rhino campaign which targeted Taiwan as the world's worst problem in terms of illegal rhino horn trading.

2) EIA co-sponsored a enforcement conference of wildlife law enforcement personnel from 8 African states, which was organized under the auspices of Zambia's Ministry of Tourism and attended by wildlife law enforcement officers from police, army, parks, and customs of 8 African states - South Africa, Botswana, Swaziland, Mozambique, Zambia, Uganda, Tanzania and Kenya.

The enforcement conference resulted in a strong recommendation from the wildlife law enforcement officers for the establishment of a multinational "Task Force" of national wildlife law enforcement personnel mandated to cross borders to investigate international smugglers and poachers of rhino horn, elephant ivory and other illegal wildlife products.

In subsequent working groups, an initial negotiating text, called "The Lusaka Agreement" was drawn up with technical advice from officers from the 8 African states, and observers from the US Fish and Wildlife Service Law Enforcement, the UK's Foreign and Commonwealth Office, the CITES Secretariat, legal advisers from the United Nations Environmental Program (UNEP), the Foundation for International Environment and Development, EIA and the British charity Tusk Force.

The Standing Committee of CITES has endorsed the draft Lusaka Agreement as did UNEP's Rhino Donors Conference held in Nairobi in July. UNEP has now agreed to assume the political coordination to pursue intergovernmental negotiations to try to conclude the Lusaka Agreement.

On November 16, 1992, EIA launched an aggressive new rhino campaign against Taiwan for its continued rhino horn trade by calling for trade sanctions coinciding with a petition by World Wildlife Fund under the Pelly Amendment to the Fisheries Protective Act of 1967 to certify Taiwan, China, South Korea and Yemen for continued rhino horn trade which undermines the effectiveness of CITES. Three days later the Premier of Taiwan banned domestic trade in rhino horn - the third time Taiwan banned rhino horn trading.

Subsequent investigations by EIA in Taiwan and China revealed that a Taiwanese based syndicate was behind the dramatic increase in rhino horn prices which fuelled renewed rhino poaching.

In 1988 this small group of Taiwanese businessmen vacuumed the Taiwanese market of about 80% of all the rhino horn available. Over 4-5 months they bought up around 6 tons of African horn from Taiwanese pharmacists and sold it to mainland Chinese via Hong Kong dealers. This drove up the wholesale price from US \$1,400 per kg to \$US 6,000 per kg. The vacuum in the market, combined with escalating prices, encouraged smugglers to buy up more horn in southern Africa, as evidenced by the number of arrests of Taiwanese citizens, and the escalation in poaching experienced in Zimbabwe and Swaziland after 1988.

In March, 1993, EIA presented information on the rhino horn trade to the Standing Committee of CITES in which we appealed for sanctions against Taiwan and China. The Standing Committee wrote to the governments of Taiwan, China, South Korea and Yemen to draw their attention to the seriousness of the situation facing rhinos and to previous Standing Committee resolutions which called for the seizure and destruction of rhino horn stocks. The Standing Committee warned of the possibility of trade sanctions.

Taiwan's response has been to institute some limited and mostly cosmetic changes which are not intended to constitute a serious commitment to comply with CITES but rather to merely forestall sanctions by the US and the international community. In May, 1993, Secretary Babbitt wrote to Taiwan and China to advise of impending certification under the Pelly Amendment for illegal rhino and tiger part trading. China then issued a promulgation banning rhino horn trade.

In July, two investigative teams sent by EIA and the World Society for Protection of Animals visited Taiwan and China to see how the bans were being implemented. A survey of 24 pharmacies in 5 cities in Taiwan found rhino horn available in 19. In China, rhino horn, tiger parts and other endangered species products were widely available and openly on sale. Raw and processed rhino horn was easily found in Chengdu, Guangzhou and Shenzhen.

Large amounts of rhino horn were offered to one investigative team in Guangzhou in China, but the dealer with the stocks refused to show them. The middleman located another stock in southern China and on July 24, the investigators travelled to Wuchuan where they were shown one ton of rhino horn held in a warehouse of Tongren Tang, a state run pharmaceutical industry. The dealer selling them stated that he was the major rhino horn supplier to the state run industry for the previous 20 years. He claimed that 300 kg of the ton of horn was registered with the Chinese state but 700 kg were not.

Asked about security of delivery the dealer offered to have the rhino horn delivered to Guangzhou or the Hong Kong border under military police escort. He also stated he could smuggle it into Hong Kong by boat. The investigative team returned to Wuchuan two days later, on July 26th, on the pretext of bartering prices down. The one ton of horn was unpacked again and the stockpile of hundreds of horns was secretly documented on video.

The video footage was shown on ABC TV Evening News on September 3rd and officials from the Department of the Interior, State Department and the National Security Council were briefed and provided with a written report on the findings of the investigation. The film footage of the Chinese cache of rhino horns was shown on TV News stations around the world.

A written report of the investigations in Taiwan and China was provided to the CITES Secretariat. On September 3rd, EIA and WSPA provided the Chinese embassy in London with details of the stockpile, the names of the company and individuals involved and a map of Wuchuan identifying the location of the warehouse holding the rhino horn.

A full report was made to the Standing Committee of CITES in Brussels on September 6 where delegates watched extracts from the Chinese warehouse video. On September 7th, Secretary Babbitt announced he was certifying China and Taiwan under the Pelly Amendment for their rhino and tiger trade.

The Standing Committee of CITES also found that China and Taiwan had not done enough to implement the ban on rhino horn trade. They decided that "measures taken by the People's Republic of China and the competent authorities in Taipei are not adequate to sufficiently control illegal trade in rhinoceros horn and tiger parts, including failure to comply with measures outlined in Resolution Conf. 6.10. Parties should consider implementing stricter domestic measures up to and including prohibition in trade in wildlife species now."

Following the Brussels Standing Committee meeting, China has done little. More disturbingly, China is now claiming that it may not have 8.5 tons of rhino horn stocks in government stores. In fact China confirmed as recently as October 1992, to Dr. Esmond Bradley Martin, the Rhino Envoy of the United Nations Environment Program during his visit to Beijing, that a stocktaking completed a month earlier found 8.5 tons of rhino horn held in government stores.

Dr. Bradley Martin viewed several stocks of horn at the Tongren Tang company in Beijing and another in Tianjin. He was given details of government held rhino stocks totalling 8.5 tons which included stocks at the National Corporation of Traditional Herbal Medicine of 3,205 kgs and another at the Guangdong Medicine Company which had 1,359 kgs.

China's stocks were confirmed by the CITES Secretariat in a report to the Brussels Standing Committee meeting in September to be 8.5 tons. Chinese claims that rhino horn stocks are less than 8.5 tons suggests that senior Chinese officials are colluding to remove or hide substantial amounts of rhino horn with the probable intent of selling them illicitly.

China's commitment to the enforcement of the rhino horn ban appears nearly non-existent outside of a few scientists and lower level officials. The Chinese Government has provided no funding whatsoever to enforce the new law and is even asking for foreign funding to enforce the rhino and tiger ban.

At the UNEP Rhino Donors Conference held in Nairobi in July, Chinese officials requested another handout for \$1.6 million for a 16 year study to research alternatives to the use of rhino horn in traditional medicine. Fortunately there are already many herbal alternatives to rhino horn available.

China is even claiming that it is losing the sum of \$350 million by enacting the rhino ban - a preposterous figure that values a ton of rhino horn at more than \$35 million.

Like Taiwan, China has no concern for the destruction it is causing to the wildlife of developing range states that have lost, or are losing their rhinos. China maintains that the responsibility for protecting rhinos falls on range states and the developing world should pay for conservation measures in range states.

The Taiwanese authorities have done very little to implement the ban on rhino horn trade. For the past year, Taiwan's Council of Agriculture (COA) has consistently refused to acknowledge the seriousness of the illegal trade in rhino horn, tiger parts and other endangered species products in Taiwan.

Enforcement measures have been taken but are primarily "window dressing" designed for public relations directed at the US and not to crackdown or eliminate their illegal rhino horn trade. COA spokesmen warn of impending "crackdowns" on those selling rhino horn or tiger parts prior to undertaking "sweeps" in which police go into pharmacies and merely ask if the owner has any rhino or tiger parts. Pharmacists confirm that the prior warnings allowed them to put their rhino horn away so the superficial checks would not detect their stocks.

Compare Taiwan's actions with those of the authorities in Hong Kong. A survey conducted by EIA in July revealed rhino products available in 60% of the 90 pharmacies checked. Just over two weeks ago EIA representatives provided the details to the Hong Kong Government. Within 7 days, the Hong Kong authorities raided 58 pharmacies and busted 29 found to be in possession of rhino horn or rhino products.

In the past year, despite superior resources, manpower and infrastructure, Taiwan has not even made the same number of arrests for illegal rhino horn trading that Hong Kong made in a week.

Taiwan's Government has made no commitment to hasten the passage of new legislation to increase penalties for illegal trade in rhino and tiger parts. Taiwan is also refusing to even set up a specific enforcement unit to combat illegal wildlife trade. Some of Africa's poorest nations have already set up such enforcement units, but Taiwan, with \$90 billion in reserves refuses to do so.

What can the US do to save rhinos now? A new law to support rhino conservation with appropriations for enforcement measures in rhino range states will be extremely helpful. Financial assistance should be provided to assist negotiation of the Lusaka Agreement and the setting up of the multinational enforcement body or "Task Force" that it envisages to support a much needed increase in international cooperation among African states trying to save their rhinos.

Such a new law should make trade sanctions mandatory and incremental against nations like Taiwan and China that do not take sufficiently rigorous measures to enforce CITES regulations and resolutions.

More urgent action is needed today however - long before a new law can be agreed and enacted. There are less rhinos every day. That leaves two choices today.

The US can let rhinos go extinct and wait another six months or a year to see if Taiwan will see the light. Or the Administration can acknowledge the appeals of the environmental, conservation and animal welfare community of the US to impose trade sanctions now against Taiwan and China and lift them only when the criteria laid out by CITES and the international community are met.

In two weeks, President Clinton will ask Congress to approve the North American Free Trade Agreement. Many environmentalists fear that the US political and legal commitment to protection of the environment, of endangered species and biodiversity will be sacrificed on the altar of free trade.

The Administration argues that NAFTA will encourage environmental protection and progress. Whatever perspective one has of NAFTA, everyone knows that trade liberalisation will make it more difficult to save endangered species from illegal international trade.

Sanctions are not only merely compatible with trade liberalisation, but must be a vital component of any such move if endangered species like rhinos are not to be allowed to drift into extinction.

Taiwan is the nation which has probably caused more damage to rhino populations in recent years than any other in the world.

If no sanctions are implemented under the terms of the Pelly Amendment this week, the US will signal that support for increasing free trade will be achieved in part by sacrificing the world's few remaining rhinos.

ANNEX TO TESTIMONY OF ALLAN THORNTON, EIA

WHAT TAIWAN AND CHINA MUST DO TO STOP RHINO & TIGER TRADE

Taiwan

1. Initiate an unannounced and comprehensive crackdown on trade in rhino and tiger parts by undercover investigations in pharmacies and shops throughout the island's major cities.
2. Infiltrate the rhino and tiger dealer community in Taiwan.
3. Pass new legislation immediately to significantly increase penalties for the sale, possession or transporting of rhino and tiger parts that will serve as an effective deterrent to these crimes. Clearly communicate the law and new penalties to the public at large and especially those communities historically associated with such trade and provide prominent notices at airports and other ports of entry into the country.
4. Set up and adequately fund a specific endangered species unit separate from the Council of Agriculture with broad authority to undertake investigations and enforce laws against illegal wildlife trade and smuggling.
5. Work methodically with the traditional Chinese medicine (TCM) community in Taiwan to eradicate trade in rhino and tiger parts and other endangered species products. Set up regular interagency coordination meetings with TCM associations and leaders to coordinate efforts to enforce rhino, tiger and other endangered species product bans in Taiwan.
6. Fully and promptly comply with all CITES resolutions dealing with rhino and tiger trade including those made at the CITES Standing Committee meeting in March and September and the Animals Committee meeting in September.
7. provide financial support to fund substantial conservation efforts in rhino and tiger range states and compensate range states holding rhino horn stocks to allow such states to destroy rhino horn stocks (in line with CITES Res. Conf, 6.10).
8. Establish communication with wildlife enforcement agencies in Hong Kong and China with a view to establishing a trilateral coordinating mechanism to combat international trade in rhino, tigers and other endangered species products occurring between Taiwan, Hong Kong and China.

TAIWAN - SPECIFIC ACTIONS - RHINOS

9. All government stocks to be moved to a central location. All known private or non government stocks are to be deposited in this location by November 30, 1993 (in accordance with September, 1993 CITES Animals Committee decision on rhino horn stockpiles.) All stocks must be retained by the Government under monitorable tamper proof seals.

10. Enforcement measures must be sufficiently rigorous to ensure other stocks (ie illicit) will be reduced to negligible levels by December 31, 1993.

11. Acquire and destroy rhino horn stocks and ensure that parallel enforcement and public education efforts are coordinated to ensure the maximum achievement of conservation benefits from the destruction of such stocks.

11. Acquire best available technological means for testing for presence of rhino horn or other rhino products in raw or processed form and make such technological means available to enforcement personnel throughout Taiwan.

TAIWAN - SPECIFIC ACTIONS - TIGERS

12. Consolidate tiger bone stocks under Government control in monitorable, tamper proof seal.

13. Identify, consolidate and seize private and state controlled stocks of wild caught tiger specimens including all parts, products and derivatives whether whole or partial (excluding living specimens legally held in zoos or other institutions) including but not limited to stocks held by pharmacies and pharmaceutical/manufacturing companies in raw and processed form.

14. Provide to the CITES Secretariat all resulting data, including information on the names and locations of all pharmaceutical and other companies that process, manufacture, or deal in tiger specimens or products; quantity and origin of stocks held by each company; and the amount of tiger specimens imported, exported and re-exported by each entity since Appendix 1 listing of the species;

15. Provide detailed information to indicate that existing domestic legislation is adequate to effectively control sale and internal and international trade, particularly by pharmacies and merchants offering traditional oriental medicines or other products containing tiger specimens, and that existing penalties are adequate to control trade.

16. Provide detailed information to the CITES Secretariat to show that adequate enforcement measures have been taken to ensure compliance with domestic legislation to prohibit trade in tiger specimens, including but not limited to evidence that manufacturers are no longer producing or marketing products containing tiger.

17. Provide detailed information to the CITES secretariat to show the formation or existence of adequately funded permanent units for the enforcement of national and international regulatory measures.

18. Prohibit the sale, possession advertising, displaying, or transporting any product or preparation which claims to contain tiger products whether or not such products or preparations contain tiger products.

19. Acquire the best available technological means for testing for the presence of tiger products in raw or processed form and make such technological means widely available to enforcement personnel throughout the country.

THE PEOPLE'S REPUBLIC OF CHINA

General

1. Conduct a high profile crackdown in all major cities to implement the ban on trade in rhino and tiger parts by undercover investigations at markets, pharmacies and shops in the major cities.

2. Seal all government stocks of rhino horn and tiger parts and place them in a central secure location under monitorable and tamper proof seal.

3. Pass new legislation to significantly increase penalties for the sale, possession or transporting of rhino and tiger parts that will serve as an effective deterrent to these crimes. Communicate the law and new penalties to the public at large and especially those communities (traders, herbalists, TCM associations, taxidermists, curio shops, etc) historically associated with such trade.

4. Prepare a comprehensive program and strategy to remove rhino and tiger parts and all other products derived from endangered species or wildlife species being traded illicitly or exploited unsustainably that are used in state run pharmaceutical industries.

5. Set up regular interagency coordination meetings between state and regional governments and with TCM associations and leaders to coordinate efforts to enforce rhino, tiger and other endangered species product bans in China.

6. Set up and adequately resource a specific unit under the control of the central government that can undertake undercover investigations and bring prosecutions against traders and dealers in rhino and tiger parts.

7. Work methodically with the traditional Chinese medicine (TCM) community and the state controlled industry to eradicate trade in rhino and tiger parts and other endangered species products.

8. Fully and promptly comply with all CITES resolutions dealing with rhino and tiger trade including those made at the CITES Standing Committee meeting in March and September and the Animals Committee meeting in September.

9. provide financial support to fund substantial conservation efforts in rhino and tiger range states and compensate range states holding rhino horn stocks to allow such states to destroy rhino horn stocks (in line with CITES Res. Conf, 6.10).

10. Establish communication with wildlife enforcement agencies in Hong Kong and Taiwan with a view to establishing a trilateral coordinating mechanism to combat international trade in rhino, tigers and other endangered species products occurring between Taiwan, Hong Kong and China.

CHINA - SPECIFIC ACTIONS - RHINOS

11. All government stocks must be moved to a central location. All known private or non government stocks are to be deposited in this location by November 30, 1993 (in accordance with September, 1993 CITES Animals Committee decision on rhino horn stockpiles.) All stocks must be retained by the Government under monitorable tamper proof seals.

12. Enforcement measures must be sufficiently rigorous to ensure other stocks (ie illicit) will be reduced to negligible levels by December 31, 1993.

13. Acquire and destroy rhino horn stocks and ensure that parallel enforcement and public education efforts are coordinated to ensure the maximum achievement of conservation benefits from the destruction of such stocks.

14. Acquire best available technological means for testing for presence of rhino horn or other rhino products in raw or processed form and make such technological means available to enforcement personnel throughout China.

CHINA - SPECIFIC ACTIONS - TIGERS

15. Create a specific customs interdiction unit to crackdown on smuggling of tiger products on China's borders with adjoining nations where illicit cross border trade with China is known to occur, specifically with Russia, Burma, Vietnam, Nepal, Bhutan and India.

16. Consolidate tiger bone stocks under Government control in monitorable, tamper proof seal.

17. Identify, consolidate and seize private and state controlled stocks of wild caught tiger specimens including all parts, products and derivatives whether whole or partial (excluding living specimens legally held in zoos or other institutions) including but not limited to stocks held by pharmacies and pharmaceutical/manufacturing companies in raw and processed form.

18. Provide to the CITES Secretariat all resulting data, including information on the names and locations of all pharmaceutical and other companies that process, manufacture, or deal in tiger specimens or products; quantity and origin of stocks held by each company; and the amount of tiger specimens imported, exported and re-exported by each entity since Appendix 1 listing of the species;

19. Provide detailed information to indicate that existing domestic legislation is adequate to effectively control sale and internal and international trade, particularly by pharmacies and merchants offering traditional oriental medicines or other products containing tiger specimens, and that existing penalties are adequate to control trade.

20. Provide detailed information to the CITES Secretariat to show that adequate enforcement measures have been taken to ensure compliance with domestic legislation to prohibit trade in tiger specimens, including but not limited to evidence that factories and manufacturers are no longer producing or marketing products containing tiger specimens.

21. Provide detailed information to the CITES secretariat to show the formation or existence of adequately funded permanent units for the enforcement of national and international regulatory measures.

22. Prohibit the sale, possession advertising, displaying, or transporting any product or preparation which claims to contain tiger products whether or not such products or preparations contain tiger products.

23. Acquire the best available technological means for testing for the presence of tiger products in raw or processed form and make such technological means widely available to enforcement personnel throughout the country.

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STATEMENT OF TERESA M. TELECKY, PH.D.
ASSOCIATE DIRECTOR, WILDLIFE AND HABITAT PROTECTION
THE HUMANE SOCIETY OF THE UNITED STATES

BEFORE THE
HOUSE MERCHANT MARINE AND FISHERIES COMMITTEE
SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

ON MEASURES TO CONSERVE RHINOCEROS

NOVEMBER 3, 1993

On Behalf Of:

American Humane Association
American Society for the Prevention of Cruelty to Animals
Defenders of Wildlife
Earthkind USA
Humane Society International
The Humane Society of the United States
International Primate Protection League
International Wildlife Coalition
World Society for the Protection of Animals

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INTRODUCTION

Good morning Mr. Chairman and members of the subcommittee. Thank you for providing The Humane Society of the United States with an opportunity to testify on matters relating to rhinoceros conservation. We commend both the Chairman and full committee ranking minority member Jack Fields for your leadership in holding this hearing to discuss threats to rhinos and to explore ways in which the United States can address this alarming situation.

I am Dr. Teresa Telecky, Associate Director of the Wildlife and Habitat Protection section of The Humane Society of the United States (HSUS), the nation's largest animal protection organization, with more than 1.8 million members and constituents. Accompanying me is David Wills, HSUS Vice President of Investigations, who recently completed an investigation into the crisis facing rhinos and elephants in Zimbabwe.

I am testifying today on behalf of The HSUS, American Humane Association, American Society for the Prevention of Cruelty to Animals, Defenders of Wildlife, Earthkind USA, Humane Society International (HSI), International Primate Protection Coalition, International Wildlife Coalition (IWC) and the World Society for the Protection of Animals (WSPA).

Mr. Chairman, can you imagine a day when there are no rhinos left in the wild? That day is just around the corner, unless the international community can stop rhino poaching by halting the trade in rhino horn which is the underlying cause of the poaching.

Twenty years ago, there were over 100,000 rhinos of two African and three Asian species. But today, fewer than 10,000 remain. At this rate of decline, there will be no rhinos left in the wild in two and a half years.

Twenty years ago, the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) provided rhinos with complete protection from international trade. Since then, CITES has recognized the continued decline of rhinos and has implored the international community to do whatever is in its power to stop the illegal rhino horn trade.

The impending extinction of rhinos is a global problem, because rhinos and the major consumers of rhinos usually do not exist in the same nation. And, although the United States is not directly causing the decline of rhinos, neither have we exercised leadership, nor used our considerable diplomatic, political and economic powers to halt the decline of the rhinos.

Now, after years of apathy on the part of the CITES Parties, rhinos face an extinction crisis. As the nation that can take the lead in the international community, the U.S., too, is confronted with a challenge. With only two and a half years before rhinos may become extinct, how can the U.S. mobilize the political will to stop the rhino horn trade and provide the few remaining rhinos with the protection they need to survive to the next century and beyond?

The HSUS believes that the U.S. can make the difference. Either the U.S. can take a strong position with countries that continue to allow the illegal trade in rhino horn by imposing trade sanctions and halting foreign aid to those countries, or rhinos become extinct. Either the U.S. can provide funding for rhino protection forces in range states that demonstrate a need for funding and a will to protect rhinos, or rhinos become extinct. Either the U.S. can act now, or in a few short years, rhinos become extinct.

The President of the United States is currently considering imposing trade sanctions on China and Taiwan for not taking sufficient action to stop the illegal trade in rhino horn. We have written to the President and urged him to do so by the 7 November deadline. (See Attachment 1.) However, considering that no U.S. President has yet used trade sanctions under the Pelly Amendment to pressure countries to comply with international wildlife treaties, we urge Congress to address this matter with new legislation which would mandate sanctions in certain instances.

As detailed below, for a number of year CITES has called on its Parties to individually address the problem of the decline rhino population through appropriate economic, political and diplomatic means. As a founding member of CITES, the United States should be doing more to implement its CITES obligations, particularly in regard to rhino conservation.

It is time for the United States to accept a leadership role and pass meaningful legislation that will result in an end to the rhino horn trade and rhino poaching. This legislation should include strong mandatory economic sanctions on consumer countries to encourage them to close down their illegal rhino horn markets and provide funding and law enforcement training only to those range states that protect rhinos. If any assistance is to go to consumer countries, rather than direct funding, it should be in the form of technical assistance, such as seminars/workshops for pharmacists and education on how to conduct successful public information campaigns to change consumer opinion.

THE LAST DAYS OF THE RHINOS

There are three species of Asian rhinos and two species of African rhinos. The horns of rhinos are made of a densely packed hair-like substance, and are used by rhinos to defend themselves and their young from predators, and to push through the brush while foraging.

Unfortunately, horns are still being used by some people in violation of most domestic and international laws. Horns taken from poached rhinos are exported to Asian countries, such as Taiwan and China, where they are ground and used in traditional medicine. Horns are also exported to Yemen where they are carved into ceremonial dagger handles.

As a result of decades of poaching for their horns and severe habitat destruction in some countries, all five rhinoceros species have very low population sizes (Figure 1). The worldwide population of rhinos has undergone a reduction of 90 percent in just over two decades, and now only about 10,000 rhinos of all five species are left in the wild.

But the African black rhinoceros has been the object of the most intense poaching pressure. The worldwide population of black rhinos has been slashed by 96 percent in the past two decades, from about 65,000 in 1970 to only 2,300 today. Zimbabwe, thought to be a stronghold for black rhinos, lost 1,800 black rhinos in just the past year and a half.

At the March 1992 CITES meeting, Zimbabwe claimed to have approximately 2,000 black rhinos and 370 white rhinos. Zimbabwe used these figures in their CITES proposals to allow trade in black and white rhino horn to resume. Yet, The Humane Society of the United States/Humane Society International obtained April 1993 rhino population estimates from a Zimbabwe government document entitled "Matusadona Plan for Intensive Protection" which indicate that Zimbabwe has only 296 black rhinos and 198 white rhinos (Column "E1" at the bottom of Figures 2 and 3, respectively).

By 1977, all five rhino species had been placed on CITES Appendix I and their parts banned from commercial international trade among the 120 member nations. Despite CITES protection from international trade, the illegal trade in horn thrives in some Asian countries where it is sold as a valuable commodity now, and stockpiled as an investment for the future. When the last rhino is killed, the value of horn stockpiles will be immense.

Even now, rhino horn sold in Asia can be worth as much as \$10,000 per kg for African horn, or \$60,000 per kg for the rarer Asian horn. By comparison, the price of gold is about \$11,416 per kg. A rhino horn dagger can sell for as much as \$30,000

in Yemen. And, predictably, as rhinos have become rarer, the retail price of horn has skyrocketed. In 1979, African horn sold in Asia for \$550 per kg, while Asian horn sold for \$9,000 per kg. In 1985, African horn sold in Asia for about \$1,500 per kg, while Asian horn sold for about \$ 24,000 per kg. Now the prices are several times higher and still increasing.

CITES HAS APPEALED EARNESTLY TO THE U.S. AND OTHER PARTIES FOR HELP IN PROTECTING RHINOS

CITES has long recognized that, despite their Appendix I status, the illegal trade in rhino horn and the consequent poaching of rhinos for this trade are driving rhinos to extinction.

Over ten years ago, in 1981, the CITES Parties (Resolution Conf. 3.11) addressed the illegal horn trade of non-Parties and the government sale of rhino horn by recommending that:

- "a) the Secretariat make recommendations, in the way it considers most appropriate, on behalf of the Parties to the governments of all non-Parties where records show they have imported or exported rhinoceros products within the past five years, to request that they take measures with a view to preventing rhinoceros products from being commercially imported or exported; and
- b) that the Secretariat make representations to both Party and non-Party governments and request them to halt all trade by placing a moratorium on the sale of all government and parastatal stocks of rhino products, and that in the case of Parties these stocks be recorded in the annual reports to the Convention."

In 1987, the CITES Parties expressed fear that "the situation will continue to deteriorate unless drastic measures are taken immediately" and urged all Parties to halt domestic trade, destroy rhino horn stockpiles, enhance law enforcement attention to rhino trade, increase penalties for those engaged in rhino horn trade, and take firm action against middlemen and traffickers of rhino horn. The Parties urged:

- "a) a complete prohibition on all sales and trade, internal and international, of rhinoceros parts and derivatives, especially horn, whether whole or in any

other form, including personal effects, but excluding (solely) non-commercial movement of legitimate hunting trophies where appropriate full CITES documents are issued to that effect;

b) the destruction of all government and parastatal stocks of rhinoceros horn with supporting contributory funds from external aid sources to be used for rhino conservation in the state concerned;

c) the issuance of special instructions to all law enforcement agencies to be particularly alert to the problem of rhinoceros horn smuggling;

d) an increase in penalties for individuals/companies convicted of relevant offenses; and

e) firm action against middlemen and poachers involved in cross border poaching and trafficking in horn."

Recognizing that international treaties do not have the capacity on their own to stop illegal trade, the CITES Parties recommended (in Resolution Conf. 6.10, 1987) "that Parties use all appropriate means (including economic, political and diplomatic) to exert pressure on countries continuing to allow trade in rhino horn, in particular Burundi and the United Arab Emirates (including the "passive" allowance of such trade), to take the necessary action to prohibit such trade and enforce such a prohibition."

Again, in June 1992, reiterating CITES' call to action in 1987, the CITES Standing Committee called "upon all Parties to the Convention, as well as non-Parties, that are able to influence and constrain the current illegal trade in rhinoceros horn, to do so urgently."

And, in March 1993, the CITES Standing Committee warned that CITES "will call for a wildlife trade ban with China, Taiwan, South Korea and Yemen in September, unless those countries take immediate action to: Implement prohibitions on all sales and trade in rhinoceros horn; destroy all government and illegal stocks of rhino horn; [and] take action against rhino horn traffickers." The chairman of the CITES Standing Committee, Murray Hosking, stated, "Failure to implement these measures, which have been required by the Parties to the Convention for some years, is a serious threat to the survival of rhinoceros species in Africa and Asia ... the Convention is undermined, and the efforts of range states to protect the rhinoceros populations are placed in jeopardy."

Most recently, in September 1993, the CITES Standing Committee once again called Parties to take actions against those nations identified as contributing to the decline of rhinos. The Committee reported "concern that the measures taken by the People's Republic of China and the competent authorities in Taipei are not adequate to sufficiently control illegal trade in rhinoceros horn ... and failed to comply with measures outlined in Resolution Conf. 6.10. Parties should consider implementing stricter domestic measures up to and including prohibition of trade in wildlife species now."

In September 1993, U.S. Secretary of the Interior Bruce Babbitt recommended to President Clinton that the U.S. impose trade sanctions on products from China and Taiwan under the conditions of the Pelly Amendment to the Fishermen's Protective Act, based on evidence that activities in China and Taiwan were undermining the effectiveness of CITES. Secretary Babbitt noted that "the United States cannot stand by while the world's remaining wild ... rhinos slip into extinction as a result of illegal commercial trade in the world marketplace." He continued, "Our action today will send the message that continued unlawful trade in these rare species will not be tolerated."

Secretary Babbitt's recommendation has paved the way for the U.S. to act strongly on CITES' recommendation that Parties use "all appropriate means (including economic, political and diplomatic) to exert pressure on countries continuing to allow trade in rhino horn ... to take the necessary action to prohibit such trade and enforce such a prohibition." The U.S. would be the first Party to act on CITES' recommendation.

AVENUES FOR U.S. ACTION TO IMPEDE THE DECLINE OF RHINOS

There is simply no hope of stopping rhino poaching as long as there is a market for horn. The trade in rhino horn is very lucrative, providing irresistible incentives for poachers. And the animals often exist in vast, unprotected areas where they are easy targets for poachers.

Since the U.S. is not itself a major market for horn, there is little we can do domestically to stem the decline of the rhinos. However, as the most economically powerful nation on Earth, the U.S. can play a key role by using economic measures that result in financial losses to the governments and businesses of China and Taiwan, and any other countries that the Secretary of the Interior certifies to the President are undermining the effectiveness of CITES with respect to the rhino horn trade. No other government on Earth is both powerful and concerned about saving species from extinction.

In addition, the U.S. could provide funding for rhino protection. However, this avenue is less effective than placing economic sanctions on consumer countries to encourage them to close down their illegal horn markets, because protective measures have not been successful -- and cannot be successful -- as long as a market for horn exists.

THE U.S. SHOULD USE ECONOMIC MEASURES TO ENCOURAGE COMPLIANCE WITH CITES

CITES asked Parties and non-Parties to stop trading in rhino horn over ten years ago and to stop domestic sale of horn over six years ago. If countries had responded to the pending rhino crisis in 1981 and heeded CITES' advice, then markets for horn might not exist today. Instead, major consumer nations like China and Taiwan outlawed the domestic sale of horn only a few months ago, under the threat of CITES and U.S. trade sanctions.

Of course, putting laws on paper is different from actually enforcing those laws and using pro-active law enforcement to seek out the horn traders and punish them appropriately. Undercover investigators from non-governmental organizations have easily been able to find horn for sale in both China and Taiwan, indicating that the laws are not implemented or enforced. These facts have led the Secretary of the Interior, Bruce Babbitt, to recommend to the President that the U.S. impose trade sanctions on these countries.

CITES itself has no ability to stop illegal trade or coerce Parties that allow illegal trade to comply with CITES recommendations. Instead, CITES relies on the actions of its Parties, through economic sanctions, and other political and diplomatic means, to encourage other Parties to comply with CITES.

Recognizing the sensitivity of trade sanctions in the current political climate, the U.S. should also explore other ways of causing economic discomfort, including refusing access to U.S. ports to ships registered in such countries, or withholding U.S. aid money and recommending to other world money lenders, like the World Bank, that they withhold aid money as well.

Allowing the illegal trade in rhino horn to continue unabated is only one example of an action for which the U.S. should voice disapproval by imposing economic penalties. Nations that stockpile rhino horn and promote a renewed legal international rhino horn trade are also undermining efforts to protect rhinos because these actions stimulate the market for rhino horn.

In 1987, the CITES Parties recognized that large government stockpiles of valuable rhinoceros horn "[have] already stimulated criminal action" (Resolution Conf. 6.10)

and urged "the destruction of all government and parastatal stocks of rhinoceros horn." In September 1993, the CITES Standing Committee reiterated this request.

In June 1992, The Standing Committee noted that it "regards the existence of substantial illegal stockpiles of rhinoceros horn in some countries as totally unacceptable to and incompatible with implementation of the Convention, and accordingly calls for direct action to acquire and destroy rhinoceros horn on the part of government agencies responsible for CITES matters. It notes that failure to take such action would be viewed as a serious infraction, likely to result in a call for trade bans or other appropriate action."

Substantial stockpiles of rhino horn are known to exist in Taiwan and China, but some range states also have substantial government stockpiles of rhino horn. Zimbabwe has 3 tons of horn, mostly from rhinos dehorned by the government in a failed attempt to stop poaching.

The existence of stockpiles of horn in consumer nations provides a smoke screen for continued smuggling of rhino horn into those nations. Traders of horn can simply say that it originated in the stockpile and was not recently imported. Whereas, the existence of stockpiles of horn in rhino range states fuels the notion that the horn will someday be sold in the international marketplace, thus encouraging speculators to stockpile horn as well. Destruction of horn stockpiles, as requested by CITES, in consumer and range states would discourage the horn market.

The presence of stockpiles in range states, like Zimbabwe, has been used by that government to justify its CITES proposals to reopen the legal trade in rhino horn. At the March 1992 CITES meeting, Zimbabwe stated that money derived from the sale of its stockpiled horns could be used for protecting rhinos. But the only way to stop rhino poaching is to destroy the market for horn once and for all, not to stimulate the market by legalizing the sale of rhino horn. If the market for horn is not destroyed now and forever, it is unlikely that rhinos will survive.

Zimbabwe, with support from South Africa and Namibia, also advocated the reestablishment of a controlled legal trade in rhino horn at the UNEP Rhino Donor Conference in June/July 1993. Significantly, China noted at that meeting that it was not interested in further horn trade, while Asian range states noted with concern that "lifting of the ban on rhino horn trade will give a form of legitimacy to all trade and will encourage poachers and traders and will harm the Asian rhinos."

Proposals to reopen the legal trade only serve to reinforce the belief among traders that the legal rhino trade will soon reopen, and this encourages speculative rhino poaching and horn stockpiling. While it is certainly the right of any country to promote the reopening of the legal international trade in rhino horn, the U.S. should object to such suggestions because they undermine the CITES' rhino protection

efforts. The U.S. should reinforce this objection by imposing economic sanctions and withholding foreign aid while encouraging other international money lenders to do so as well.

THE U.S. SHOULD PROVIDE FUNDING AND LAW ENFORCEMENT TRAINING TO RANGE STATES THAT PROTECT RHINOS

While funding for rhino protection efforts should certainly be encouraged, we do not believe that enhancing protection efforts alone, without accompanying trade sanctions to encourage a reduction in market demand, will ultimately be successful in stopping the decline of rhino populations. Furthermore, funding should be made available strictly for hiring, equipping, and training game guards, or moving rhinos to safer areas, but not for conducting research.

Relocating rhinos to more protected areas, such as into what Zimbabwe terms "Intensive Protection Zones" (IPZs), is likely to be a successful rhino protection strategy for rhinos that currently exist in vast, unprotected areas. IPZs are relatively small areas, located some distance from international borders and rivers where most poaching occurs, that are surrounded by game guards. For rhino populations that already exist in small isolated pockets of remaining habitat, such as most Asian rhino species, funds should be made available to hire more game guards and to provide them with equipment and training.

In contrast, funding should not be made available to relocate rhinos to private or government land on which other activities (such as the operation of hunting concessions) take place. A Humane Society of the United States/Humane Society International investigation in May/June 1993 revealed that the translocation of rhinos to conservancies in Zimbabwe is ineffective at protecting rhinos. The game ranches which comprise the conservancies, and the hunting camps that operate safaris on these ranches, do not have the security, equipment, manpower or money needed to protect the rhinos. The local people, whether employed as field hands or game guards, are seldom, if ever, integrated into the process. Deep racial resentment exists, allowing them to be "bought" with money or coerced by intimidation. The game ranchers are amateurs when it comes to protecting the wildlife on the ranch. And the constant traffic of visitors and employees makes it easier for the poachers to slip in and out undetected.

Rhinos on conservancies in Zimbabwe are not safe even from those who should protect them. Two rhinos killed recently at Zimbabwe's Midlands Conservancy were shot with a .303 caliber rifle - the standard issue for local Zimbabwe police and military police. Further, after our investigators interviewed several ranch workers on the ranch where the rhinos were killed, it was clear that these rhinos were killed by Zimbabweans. One rancher convinced the government to relocate thirteen rhinos to

his farm last year; all thirteen were killed within eight months. It was later discovered that one of his own "scouts" was involved.

Funding should be made available strictly for activities that enhance in-situ rhino protection, not for conducting studies or experiments. There is no time left for studies which will have a dubious effect on reducing rhino poaching. What little funding is available should be spent on measures that will certainly enhance protection.

The HSUS believes that what some have called "innovative solutions" to the decline of the rhinos, such as dehorning, have just wasted a lot of time and money that could have been used to enhance rhino protection. Zimbabwe's expensive program to dehorn all of its rhinos, with the idea that poachers will not kill rhinos without horns, has failed to protect rhinos from poachers. The Humane Society of the United States/ Humane Society International discovered that, according to Zimbabwe government documents, twelve dehorned black rhinos and 82 dehorned white rhinos have been killed as of April 1993 (Column "D^{hk}" in Figures 2 and 3, respectively).

In fact, the small amount of horn that remains after dehorning is still enough for poachers to make some money. A stump can weigh as much as 1 kg, depending on how long ago the rhino was dehorned, the equivalent of a year's wage, about \$200, to a poacher. The horn of the rhinos eventually regrows, and those dehorned only two years ago already have five or six inches of horn, more than enough to attract poachers.

One of many possible explanations as to why dehorned rhinos are poached is that, because of the thick brush and an ingrained fear of rhinos, the poachers may kill first and check for horn later. Or rhinos may be killed out of spite or frustration when a poacher has tracked a rhino and tried in vain to obtain horn. However, the most distressing explanation is that Asian dealers are banking on the extinction of the rhino and are encouraging poachers to kill any rhinos, with or without horn. When the last rhino is killed, rhino stockpiles will be priceless.

If dehorning is not a good poaching deterrent, then why is Zimbabwe continuing to dehorn its rhinos? Because dehorning allows the government of Zimbabwe to get the horn before the poachers do. If Zimbabwe ever succeeds in convincing the international CITES community to legalize the international rhino horn trade, Zimbabwe will have a financial windfall.

Another reason Zimbabwe continues to dehorn its rhinos is the public attention it attracts. Researchers, authors of books and magazine articles, tourists, film crews, and others who want to witness rhino dehorning bring valuable foreign currency into Zimbabwe. Moreover, safari hunters are eager to pay thousands of dollars to dart a rhino and remove its horn. Further, some conservation organizations, anxious to stop

the decline of the black rhino, pay the government of Zimbabwe to dehorn its rhinos. The government of Zimbabwe, which collects money from these well-meaning sources, does not spend a dime of its own on the useless dehorning program.

A rhino dehorning mission may cost as much as US\$100,000 and may result in the dehorning of only ten rhinos. Considering that the average yearly wage of a Zimbabwean is US\$200, every rhino in Zimbabwe could have its own personal guard for a year for only US\$100,000, far less than what it has cost to dehorn 277 rhinos. Considering the low average yearly salary for people in most rhino range states, every rhino in the world could have its own personal guard for a year for around US\$2 million. Compare this to the US\$7 million which was promised by donors at the recent UNEP Rhino Donors Conference for rhino protection programs.

U.S. funding should also not be made available for captive breeding programs for rhinos, since animals are better conserved in their own habitat, or for studies of market demands or to look for substitutes for rhino horn. We do not have the luxury of using what little money is available to explore theories or methodologies. Furthermore, funding should not be given to countries that are ignoring CITES recommendations pertaining to rhinos (to destroy horn stockpiles and take measures to stop the illegal trade), or to countries that promote the legalization of the horn trade.

U.S. funding should also not be made available to consumer or range countries that are financially able to address the problem but have not done so. For example, in 1992, the government of Zimbabwe reported earning \$US83 million from its national parks, but the 1993 budget for its parks is US\$6 million, of which US\$5 million will provide "overhead", and only US\$1 million will be spent on paying, feeding, supplying, and transporting the wildlife protection division. This means that less than 2 percent of the income derived from the parks is spent on protecting wildlife in the parks. The government of Zimbabwe is not willing to invest in protection for its own wildlife, and instead relies on attracting enough attention about the plight of its rhinos to get foreign non-governmental organizations to fund the parks' operation, while most of the revenue derived from the parks is diverted to unrelated activities and does not go back to the animals, the parks, or the local people.

Similarly, the governments of consumer nations like Taiwan and China are financially able to fund their efforts to destroy their horn markets. Their problem is lack of commitment, not lack of funds. The HSUS believes that the wrong message would be sent if we reward their negligent behavior by funding consumer education programs they do not support. The first thing that is needed is a commitment at the highest level of government and we believe that trade sanctions are the best way to obtain this commitment. We would also support, in certain instances, U.S. technical

assistance for such things as workshops or seminars for pharmacists and public relations training in the conduct and implementation of public information programs for consumers.

CONCLUSION

Mr. Chairman, I submit to you that five species of rhinos, some of the most magnificent animals on Earth, are teetering on the brink of extinction because of human greed and negligence. Rhinos need the U.S. government, acting on behalf of all countries that value animals and the environment, to do everything in its legal power to save these species from extinction.

There is no other government on Earth that can fill this role, no other government that is both powerful and concerned about the environment and the species that share this planet with us.

If the U.S. government acts to save rhinos by imposing trade sanctions on those nations contributing to the decline of rhinos, then others will follow.

If the U.S. government provides funding to hire, equip and train game wardens, then others will too.

If the U.S. government chooses to ignore the pleas of CITES for help in this impending disaster, then so will other nations -- and rhinos will go the way of the Passenger Pigeon -- robbing future generations of an opportunity to experience the beauty and wonder of these special animals.

Thank you again for this opportunity to share our views about rhino conservation and suggestions for congressional action. We look forward to continuing to work with you and other members of the committee to develop legislation to address this critical situation.

FIGURE 1

1993 RHINOCEROS POPULATION FIGURES

Sumatran or Asiatic Two-Horned or Hairy Rhinoceros

Dicerorhinus sumatrensis

Total population numbers about 500, possibly more but estimates are unreliable. Found in Burma, Indonesia and Malaysia.

Great Indian One-Horned Rhinoceros or Indian Rhinoceros

Rhinoceros unicornis

Total population numbers about 1700, and is fairly stable but there has been a recent surge in poaching. Found in India and Nepal.

Javan or Lesser One-Horned Rhinoceros

Rhinoceros sondaicus

Total population numbers about 65, and is declining. Found in Indonesia on Java and possibly in Vietnam.

Black Rhinoceros

Diceros bicornis

Total population numbers about 2300, and is declining dramatically. Found in widely scattered, largely unprotected pockets, mainly in Tanzania, Zimbabwe, South Africa, Kenya, and Namibia.

White Rhinoceros

Ceratotherium simum

Total population numbers about 5600, and is declining in some areas but stable in others. Found in scattered but mostly well protected areas such as South Africa's Kruger National Park.

FIGURE 2

BLACK RHINO STATUS - 15 APRIL 1993

ESTIMATE

Area	P	E1	E2	E3	Total	D ^h	D ^{hk}
HWANGE NP, DEKA SA	-	73	25	20	118	51	2
MIDLANDS RANCHES	4	49	10	5	64	-	-
SAVE VALLEY CONSV.	-	23	1	1	25	20	-
MATUSADONA NP	6	15	5	3	23	19	5
BUBIANA CONSV.	1	23	-	-	23	20	1
LONELY MINE RANCHES	-	20	-	-	20	-	-
ZAMBEZI VALLEY ESCARP. Chewore South, Doma, Mana and Hurungwe	-	7	5	8	20	6	-
CHIZARIA NP	-	15	4	-	19	19	4
MATOBOS NP	-	9	-	4	13	9	-
MAT. N. FOREST AREAS, GWAAI ICA	-	7	3	2	12	7	-
CHIRISA SA	-	6	-	4	10	4	-
CHIPINGE SA	5	9	-	-	9	5	-
CHIREDDI RIVER CONSV.	5	8	-	-	8	7	-
ZAMBEZI VALLEY FLOOR Hurungwe, Mana, Sapi	-	4	0	4	8	-	-
GONAREZHOU NP	5	4	2	2	8	-	-
IMIRE GAME PARK	-	7	-	-	7	-	-
CHARARA SA	-	2	-	5	7	-	-
WEST NICHOLSON	2	-	6	-	6	-	-
CHIPANGALI	-	5	-	-	5	-	-
ZV COMMUNAL LANDS Dande, Mukwichi, Hurungwe	-	-	-	5	5	-	-
MARULA RANCH	-	4	-	-	4	-	-
MHONDORO GAME PARK	-	2	-	-	2	-	-
PAMUZINDA LODGE	-	2	-	-	2	-	-
OMAY CL	6	1	-	1	2	-	-
TOTALS	-	296	63	67	426	157	12

P - Priority
 E1 - Definite
 E2 - Probable
 E3 - Possible
 D^h - Dehorned
 D^{hk} - Dehorned animals killed/died

Source: Matusadona Plan for Intensive Protection, Zimbabwe National Parks and Wildlife Management Department.

FIGURE 3

WHITE RHINO STATUS -15 APRIL 1993

AREA	P	E1	E2	E3	TOTAL	D ^h	D ^{hk}
HWANGE NP, DEKA SA	-	85	10	5	100	70	82
MATOBOS NP	-	36	10	3	49	31	-
IWABA ESTATE	-	20	-	-	20	-	-
KYLE RP	3	11	-	3	11	8	-
LONE STAR RANCH	5	11	-	-	11	-	-
MAT. NAT. FOREST AREAS, GWAAI ICA	-	7	2	1	10	7	-
MCILWAINE RP	-	9	-	-	9	-	-
BUSHY PARK	-	5	-	1	6	-	-
SAVE VALLEY CONSV.	-	5	-	-	5	2	-
SIPUMA RANCH	-	3	-	-	3	-	-
NYMANECHE	-	2	-	-	2	2	-
GONAREZHOU NP	5	2	-	-	2	-	-
CECILKOP NATURE RES.	-	1	-	-	1	-	-
BEMBESI FOREST AREA	-	-	-	7	0	-	-
TOTALS	-	198	24	16	235	120	82

P - Priority
 E1 - Definite
 E2 - Probable
 E3 - Possible
 D^h - Dehorned
 D^{hk} - Dehorned animals killed/died

Source: Matusadona Plan for Intensive Protection, Zimbabwe National Parks and Wildlife Management Department.



Attachment One

October 27, 1993

The President
The White House
Washington, DC 20500

Dear Mr. President:

We cannot express strongly enough our great disappointment in your recent decision to not invoke trade sanctions against Norway. The sanctions were recommended by Secretary of Commerce Ron Brown, under the Pelly Amendment to the Fishermen's Protective Act, because of Norway's resumption of commercial whaling in violation of the International Whaling Commission's (IWC) indefinite ban. That decision understandably leaves us with questions regarding this administration's level of commitment to wildlife conservation issues.

Another wildlife conservation issue now before your administration needs strong action. We hope you will use this new opportunity to demonstrate your concern for these issues, and use the means available to you under United States law to encourage countries to comply with international treaties that protect the world's wildlife from extinction.

On September 7, 1993, Secretary of the Interior Bruce Babbitt certified to you, under the Pelly Amendment, that China and Taiwan were diminishing the effectiveness of the United States' efforts to protect endangered species by allowing the illegal trade in rhino and tiger parts to continue. Rhinos and tigers are among the most rare and endangered mammal species on Earth and are in eminent danger of extinction. There are fewer than 10,000 rhinos of five species, and less than 5,000 tigers, left in the wild. Rhino populations have declined by 90 percent in just over two decades, while tiger populations have declined by 95 percent during this century. Yet, products made from poached rhinos and tigers are readily available in markets in China and Taiwan, where they are purchased for use in traditional medicine. While China and Taiwan have recently passed laws banning the sale of such items, the laws are not enforced.

The Humane Society of the United States
2100 L Street, NW, Washington, DC 20037
(202) 452-1100 FAX (202) 778-6132

Printed on recycled paper

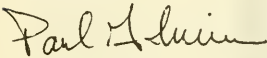
The President
 October 27, 1993
 Page Two

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has addressed the continued illegal trade in rhino and tiger parts in China and Taiwan numerous times over the past several years, calling on all CITES Parties to take action to stop the trade. Yet, few actions have been taken and rhino and tiger populations have continued to dwindle. Most recently, in March 1993, CITES' governing body, the Standing Committee, recommended that all nations consider banning trade in wildlife with Taiwan and China in order to pressure them to stop the trade in tiger and rhino parts. The United States is in a unique position because our domestic law permits us to immediately implement the CITES Standing Committee recommendation.

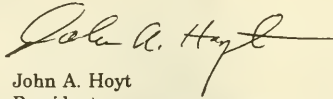
It would be a serious error to refuse to invoke trade sanctions while suggesting that this issue could be resolved within the CITES arena as you suggested in your letter to Congress with respect to Norwegian whaling and the IWC. Neither the IWC nor CITES have the capacity on their own to stop the illegal trade in wild animals.

We urge you to impose trade sanctions on Taiwan and China now, before it's too late.

Sincerely,



Paul G. Irwin
 President
 The Humane Society of the United States



John A. Hoyt
 President
 Humane Society International

On behalf of the following organizations:

American Humane Association
 American Society for the Prevention of Cruelty to Animals
 Animal Protection Institute
 Defenders of Wildlife
 Earth Island Institute
 Environmental Investigation Agency
 Friends of Animals
 Fund for Animals
 International Wildlife Coalition
 National Audubon Society
 World Society for the Protection of Animals

cc: Albert Gore, U.S. Vice President
 Bruce Babbitt, U.S. Secretary of the Interior
 Eileen Claussen, U.S. National Security Council

ZIMBABWE:
DRIVING WILDLIFE TO EXTINCTION

**AN INVESTIGATIVE REPORT ON THE CRISIS FACING
ELEPHANTS AND RHINOCEROS IN ZIMBABWE**



KATHY MILANI

Prepared by

**The Humane Society of the United States
Humane Society International**

2100 L Street, NW, Washington, DC 20037

October 26, 1993
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INTRODUCTION

There are perhaps no better examples of the myriad problems faced by wildlife in Africa today than those of the African elephant and African black rhino in Zimbabwe. Civil unrest, drought, poaching for the lucrative international trade in wildlife parts, poverty, corruption, human destruction of wildlife habitat, increasing human populations, a growing national debt, unwillingness to cooperate with neighboring countries to protect and manage shared wildlife populations, a collapsing economic infrastructure, and a government that wants to exploit wildlife for hard currency are but some of the factors that have influenced the way that wild animals are viewed and managed in Zimbabwe.

In light of continued attempts by the government of Zimbabwe to promote wide acceptance of consumptive use of wild animals, especially its support for the legalization of the international trade in elephant ivory and rhino horn, The Humane Society of the United States (HSUS) and Humane Society International (HSI) sent an investigation team to Zimbabwe in May and June 1993.¹ That investigation, months of preparation and follow-up work, and years of work with the Convention on International Trade in Endangered Species of Wild Fauna and Flora form the basis of this report.

BACKGROUND: RHINOCEROS

There are three species of Asian rhinos and two species of African rhinos. The horns of rhinos are made of a densely packed hair-like substance, and are used by rhinos to defend themselves and their young from predators, and to push through the brush while foraging. Unfortunately, horns are also useful to some people: Rhino horns taken from poached rhinos are exported to Asian countries, such as Taiwan and China, where they are ground and used in traditional medicine. Some horns are also exported to Yemen where they are carved into ceremonial dagger handles.

All five rhinoceros species have very low population sizes (Figure 1), the result of decades of poaching for their horn and severe habitat destruction. The worldwide population of rhinos has undergone a reduction of 90 percent in just over two decades, and now only about 10,000 rhinos of all five species are left in the wild. But the African black rhinoceros has recently been the object of the most intense poaching pressure. The worldwide population of black rhinos has been slashed by 96 percent in the past two decades, from about 65,000 in 1970 to only 2,300 today. Zimbabwe, thought to be a stronghold for black rhinos, lost 1,500 in just the past year.

¹ The HSUS/HSI gratefully acknowledges the financial support of The Threshold Foundation in conducting this investigation.

By 1977, all five rhino species had been placed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Species on Appendix I are banned from commercial international trade among the 120 member nations of CITES. Despite protection from legislated international trade, the illegal trade in horn thrives in some Asian countries where it is sold as a valuable commodity now, and is stockpiled as an investment for the future. When the last rhino is killed, the value of horn stockpiles will be immense.

Even now, rhino horn sold in Asia can be worth as much as \$10,000 per kg for African horn, or \$60,000 per kg for the rarer Asian horn. By comparison, the price of gold is about \$11,416 per kg. A rhino horn dagger can sell for as much as \$30,000 in Yemen. And, predictably, as rhinos have become rarer, the retail price for horn has skyrocketed. In 1979, African horn sold in Asia for \$550 per kg, while Asian horn sold for \$9,000 per kg. In 1985, African horn sold in Asia for about \$1,500 per kg, while Asian horn sold for about \$ 24,000 per kg. Now the prices are several times higher and still increasing.

Taiwan and China have recently come under international pressure for allowing rhino horn trade to continue unabated in their countries. In September 1993, CITES' governing body, the Standing Committee, asked all nations that have signed the trade treaty to consider banning wildlife trade with Taiwan and China. Also in September, the U.S. Secretary of the Interior Bruce Babbitt recommended to President Clinton that the U.S. impose trade sanctions on products from China and Taiwan.

While both Taiwan and China have recently outlawed the trade in rhino horn, undercover investigators have easily been able to find horn for sale in both countries, indicating that the laws are not implemented or enforced. These countries have significant stockpiles of horn, worth tens of millions of dollars. In an effort to stamp out rhino horn trade, CITES has recommended that all nations destroy rhino horn stockpiles.

Zimbabwe is also defying CITES by maintaining its government rhino horn stockpile. At the March 1992 CITES meeting, Zimbabwe proposed that the international rhino horn trade should resume, stating that money derived from the sale of their stockpiled horns could be used for protecting rhinos. But the only way to stop rhino poaching is to destroy the market for horn once and for all, not to stimulate the market by legalizing the sale of rhino horn. If the market for horn is not destroyed now and forever, it is unlikely that rhinos will survive to the year 2000.

BACKGROUND: ELEPHANTS

Between 1979 and 1989, the world's population of African elephants was slashed by more than half, from 1.3 million to less than 600,000. The cause was the legal trade in elephant ivory and poaching of elephants for their ivory,

for which the legal ivory trade provided a cover. At first, CITES set up a complex monitoring system that, in theory, would have made it impossible for ivory from poached elephants to enter trade. However, elephants continued to be poached in large numbers. Some experts estimated that 90 percent of the ivory in the 1989 "legal" trade actually originated from poached elephants. The monitoring attempt was a complete failure, demonstrating the futility of trying to control trade in such a lucrative substance that is easily obtained from largely unprotected wild animals. The only solution, instituted in early 1990, was for CITES to ban the international trade in ivory. By 1990, most African nations had either lost all of their elephants, or had only a fraction of the elephant numbers present only 10 years earlier.

Despite the decline and disappearance of elephant populations across the African continent, Zimbabwe (along with South Africa, Botswana, Malawi, and Namibia) proposed to reopen the legal international ivory trade at the 1992 CITES meeting. This proposal was soundly rejected by CITES, with other African nations leading the opposition. They know that they cannot protect their elephants from the uncontrollable ivory trade and that the only way to ensure the elephants' survival is to continue the ban on the international trade.

As with rhino horn, Zimbabwe holds vast stores of ivory, mostly collected from government-sanctioned elephant culling operations, which kill thousands of elephants every year. Zimbabwe claims that it has too many elephants, and that it must cull the elephants in order to protect habitat from being destroyed by them.

THE HSUS / HSI INVESTIGATION

The African Black Rhinoceros in Zimbabwe

At the March 1992 CITES meeting, Zimbabwe claimed to have approximately 2,000 black rhinos and 370 white rhinos. Zimbabwe used these figures as justification for its CITES proposals to allow trade in black and white rhino horn to resume. Yet the HSUS/HSI investigation team obtained April 1993 population estimates from an internal government document entitled "Matusadona Plan for Intensive Protection", which indicate that Zimbabwe has only 296 black rhinos and 198 white rhinos (Figures 2 and 3, respectively).

Zimbabwe's most visible rhino protection program has been to dehorn all of its rhinos, with the idea that poachers will not kill rhinos without horns. However, twelve dehorned black rhinos and 82 dehorned white rhinos have been killed as of April 1993 (see Figures 2 and 3, respectively). The HSUS/HSI investigation team observed the dehorning of four black rhinos and concluded that the highly invasive and stressful dehorning is doing nothing to protect rhinos from poachers. In fact, the small amount of horn that remains after dehorning is still enough for poachers to make some money. A stump can

weigh as much as 1 kg, depending on how long ago the rhino was dehorned, the equivalent of a year's wage, about \$200, to a poacher. The horn of the rhino eventually regrows, and those dehorned only two years ago already have five or six inches of horn, more than enough to attract poachers.

This is just one of many possible explanations to why dehorned rhinos are poached. Because of thick brush and an ingrained fear of rhinos, the poachers may kill first and check for horn later. Or rhinos may be killed out of spite or frustration when a poacher has tracked a rhino and tried in vain to obtain horn. However, the most intriguing explanation is that Asian dealers are banking on the extinction of the rhino and are encouraging poachers to kill any rhinos, with or without horn. When the last rhino is killed, rhino stockpiles will be priceless.

If dehorning is not a good poaching deterrent, then why is Zimbabwe continuing to dehorn its rhinos? Because dehorning allows the government of Zimbabwe to get the horn before the poachers do. Some 3 tons of rhino horn are stored in the Zimbabwe government's warehouses. If Zimbabwe ever succeeds in convincing the international CITES community to legalize the international rhino horn trade, Zimbabwe will have a financial windfall. Another reason Zimbabwe continues to dehorn its rhinos is the public attention it attracts. Researchers, authors of books and magazine articles, tourists, film crews, and others who want to witness rhino dehorning, bring valuable foreign currency into Zimbabwe. Safari hunters are eager to pay thousands of dollars to dart a rhino and remove its horn. Some conservation organizations, anxious to stop the decline of the black rhino, pay the government of Zimbabwe to dehorn its rhinos. The government of Zimbabwe, which collects money from these well-meaning sources, does not spend a dime of its own on the inhumane and useless dehorning program.

Tragically, the translocation of rhinos to conservancies is just as ineffective as dehorning in protecting rhinos. The game ranches (which comprise the conservancies), and the hunting camps that operate safaris on these ranches, do not have the security, equipment, manpower or money needed to protect the rhinos. The local people, whether employed as field hands or game guards, are seldom, if ever, integrated into the process. Deep racial resentment exists, allowing them to be "bought" with money or coerced by intimidation. The game ranchers are amateurs when it comes to protecting the wildlife on the ranch. This often makes it easier for poachers to operate under the cover of the commotion that surrounds the conservancies. The constant traffic of visitors and employees makes it easier for the poachers to slip in and out undetected. Finally, like dehorning, the relocation of rhinos to conservancies by the government, and the management of rhinos on conservancies, are basically "entertainment" spectacles driven by politics and powered by financial incentives. The ranchers use the presence of rhinos as an incentive for trophy hunters to hunt on their ranches, where they can see a rhino while hunting for other species. Some ranchers hope to establish a viable population of rhinos on their ranches and to someday offer hunting safaris for rhinos.

In reality, rhinos on conservancies are not even safe from those who should protect them. Two rhinos killed recently at the Midlands Conservancy were shot with a .303 caliber rifle - the standard issue for local Zimbabwe police and military police. Further, after interviewing several ranch workers on the ranch where the rhinos were killed, it was clear to the HSUS/HSI investigation team that these rhinos were killed by Zimbabweans. One rancher convinced the government to relocate thirteen rhinos to his farm last year; all thirteen were killed within eight months. It was later discovered that one of his own "scouts" was involved.

In conclusion, 1) Zimbabwe has far fewer rhinos than it has claimed; 2) neither dehorning nor translocation to conservancies are providing any real protection for rhinos; 3) Zimbabwe's rhino "protection" programs are little more than a way to attract foreign currency; and 4) Zimbabwe is stockpiling horn from dehorning operations in the hopes that their efforts to legalize the international horn trade will pay off.

The African Elephant in Zimbabwe

Like the rhino, the African elephant is a victim of the Zimbabwe government's plan to exploit its wildlife.

The HSUS/HSI investigation team obtained a price list of wildlife offered for sale by the Zimbabwe government (Annex I). Prices are broken down into three major categories: Live animals, hunted animals, and "sundries" (parts, such as tusks and other teeth). Zimbabwe offers elephant calves, the result of government sanctioned culling operations, for US\$2,500 for export to foreign zoos, and an adult male elephant to a hunter for US\$7,500. Live elephants are offered to private conservancies and game farms (where they may be hunted). Adult male lions are offered to dealers for US\$1,000, zebras for US\$450, hippo teeth for US\$15/kg, and hunters may kill a leopard for US\$1,000.

Zimbabwe manages its elephants, like its other wildlife, for consumptive use. Aerial surveys, population estimates, official government pricing of ivory, and management practices are designed to provide a lucrative source of foreign currency for the government.

The Zimbabwe government kills thousands of elephants each year, justifying the slaughter by claiming that there are too many elephants and that they are destroying the habitat. But the HSUS/HSI investigation team uncovered evidence that game scouts and independent ecologists do not support these claims.

Minutes from a meeting of Zimbabwe's National Parks and Wildlife Management Department, wherein staff discussed the proposed culling of 2,000 elephants from the Zambezi Valley (Annex II), reveal that game scouts did not support the Parks department claims that there was an elephant

population problem, and that elephant-caused habitat "damage" was not a concern, except in a few isolated areas where an elephant group congregated. Other revealing aspects of those minutes are the allegations by ground staff game wardens that the 1988 elephant population estimates were too high and the resulting cull unwarranted.

One ecologist working at Hwange National Park stated that an October 1992 aerial survey by the Zimbabwe National Parks and Wildlife Department estimated that there were 37,000 elephants in Hwange. The ecologist stated, "Hwange is 14,000 square kilometers. That's three [damn] elephants per square kilometer in the Park. Are these people nuts?" Hwange has introduced pumping stations to maintain artificial water holes so that tourists can see animals year-round. In explaining how the research department came up with such unrealistically high elephant population estimates, the ecologist stated, "The [people] fly over the water holes, between 4:00 and 6:00 PM, and count all the elephants who come in to drink. And then [they] extrapolate for the whole damn park. It's incredible. There is no cross-reference, no ground checks, no habitat analysis. Hwange could handle four times as many elephants as it currently supports. Hwange has deep ravines and strong Mopani tree growth [Mopani trees comprise a large portion of an elephant's diet] and frankly, not that many elephants."

The ecologist explained further that the official margin of error for elephant population estimates based on aerial surveys is plus or minus 95 percent. The ecologist elaborated that, "... if the airplane flies over the water-hole at 2:00 PM in the heat of the afternoon they'll see no elephants in the park and extrapolation will yield zero elephants for the population. If you fly over at the heaviest concentration periods, when animals are known to come to water in the cool of the evening, you'll get 37,000 elephants from extrapolation. But the truth is not even half of that." The ecologist finally concluded that, "All scientific surveys are suspect in this country because they have a number they want to take [by culling] and the survey has to justify that number." In other words, the population figures are predetermined for economic purposes.

There is simply no reliable evidence that elephants are so abundant that they are destroying their habitat beyond what is normal for herbivores of that size. Ecologists and others told the HSUS/HSI investigation team that government-sanctioned lumber operations and fire have taken a far larger toll on wildlife habitat than elephants could ever have.

Elephant population sizes are grossly over-stated by the Zimbabwe government to justify killing elephants for economic purposes. Elephants are being culled to feed crocodiles, to sell baby elephants to foreign zoos, and to stockpile ivory and elephant hides for a future legalized trade in the lucrative elephant parts.

The HSUS/HSI investigation team uncovered an internal Zimbabwe government document (Annex III) which provides details of a government deal to sell elephant meat to crocodile farmers. Zimbabwe can essentially circumvent the

ban on the international trade in elephant parts by feeding elephants to crocodiles and making money from the crocodile skins that can be legally sold in international trade.

The government of Zimbabwe keeps the ivory tusks from its elephant culling operations, stockpiling them until they are successful at reopening the international ivory trade. Over 30 tons of ivory is stored at the National Parks headquarters, 95 percent of it acquired since the ivory ban went into effect in early 1990. This means that the vast majority of the stored ivory is from the thousands of government-culled elephants.

Zimbabwe has accused the international community of robbing them of significant income from ivory sales, income which they argue could be used to help fund wildlife protection. In 1989, the year before the international trade in ivory was banned, Zimbabwe sold 6,726.46 kg of ivory for Z\$ 1,784,333 (about US\$ 297,388). This figure is insignificant compared to the \$US 83 million that the government of Zimbabwe reported earning from its National Parks in 1992, without international ivory sales. However, if the ivory trade is worth so little to their national budget, then why is the government of Zimbabwe interested in legalizing the international ivory trade? A high ranking deputy minister in the Zimbabwe government, as well as a second independent source, told the HSUS/HSI investigation team that the actual money obtained from the 1989 ivory sale was over Z\$ 8 million (about US\$ 1.3 million). What happened to the missing 1 million dollars? It probably is lining the pockets of corrupt government bureaucrats.

Zimbabwe wants to legalize the international ivory trade because, they have asserted, wildlife must pay their way. But wildlife are paying their way, and for a lot of other unrelated activities as well.

Most of the \$US 83 million that Zimbabwe earned from its National Parks in 1992 is not going back into operation of the Parks or protection of their wildlife. The 1993 budget for National Parks is US\$ 6 million, of which US\$ 5 million provides "overhead", and only US\$ 1 million is spent on paying, feeding, supplying, and transporting the wildlife protection division. To return less than 10 percent of the earnings back to operation of the Parks, and less than 2 percent into actually protecting animals in the Parks, is reprehensible. The truth is that the government of Zimbabwe is not willing to invest in its own wildlife, and instead relies on attracting enough attention to get foreign non-governmental organizations to fund the Parks' operation, while most of the revenue derived from the Parks is diverted to unrelated activities and does not go back to the local people, the animals, or the Parks.

The monetary value that Zimbabwe places on its wildlife, its ivory stockpiles, and its attempts to reopen the international ivory trade have not been ignored by poachers. In Hwange National Park, more elephants were killed in 1992 than in any of the previous six years (Figure 4). Several persons contacted by

the HSUS/HSI investigation team indicated that everyone is hoarding tusks in anticipation of a relaxing of the CITES ban on the international trade in ivory. One source stated, "... the illegal trade can't fill one one-hundredth of the demand. Plus, Poon [a major ivory and rhino horn dealer] is buying up all the poached [ivory and horns] anyhow, and sitting on it. Everyone knows when the ban is lifted, ivory will go for one and one-half to three times more than now, maybe more." Stockpiling makes economic sense. Another source stated, "The only sure way to get the corrupt ministers and the military out of the game is to ban the [trade in ivory and rhino horn] forever. Then make all these governments burn the [ivory and rhino horn]."

Ironically, while Zimbabwe begs the international community to help it protect its rhinos and elephants, the activities of the government are encouraging poaching.

In conclusion, 1) Zimbabwe's estimates of elephant population sizes are grossly over-stated and predetermined to justify government-sanctioned elephant culling operations; 2) Zimbabwe is cashing in on elephants now -- by selling meat from culled elephants to crocodile farmers, selling elephant calves to foreign zoos, and selling adult elephants to game farms where they may be hunted; 3) Zimbabwe is stock-piling ivory from culled elephants for future sale, if they can succeed in convincing CITES to legalize the international ivory trade; 4) Elephants and other wildlife in Zimbabwe's National Parks earn huge income for the government of Zimbabwe, only 10 percent of which is put back into Park operation and animal protection; and 5) Zimbabwe's ivory stockpiles, and CITES proposals to legalize the international ivory trade, are encouraging elephant poaching and stockpiling of ivory by dealers.

RECOMMENDATIONS

- 1) Dehorning rhinos is not an effective anti-poaching deterrent. Zimbabwe should cease this inhumane and ineffectual technique immediately.
- 2) Translocating rhinos to conservancies and game ranches is not an effective anti-poaching deterrent. Zimbabwe should translocate rhinos to Intensive Protection Zones, areas in the country far from rivers and unprotected borders, surrounded by scouts and equipment until the populations recover.
- 3) Stockpiling rhino horn and elephant ivory is only perpetuating the myth that the ivory and horn trade will reopen, which is encouraging poachers to kill rhinos and elephants, and dealers to stockpile these lucrative substances. Zimbabwe should destroy all stockpiled rhino horn, as recommended by CITES, and destroy all stockpiled ivory as Kenya has done.

- 4) Zimbabwe's elephant population estimates are grossly exaggerated and predetermined to support elephant slaughter for economic purposes. Zimbabwe should call for an independent estimate of its elephant populations, and cease all elephant culling.
- 5) Zimbabwe's proposals to legalize the international ivory and rhino horn trade at CITES meetings serves only to fuel the speculation that a market will open, which in turn fuels poaching of Zimbabwe's wildlife. Zimbabwe should refrain from making CITES proposals that would result in a legalized trade in elephant and rhino parts.
- 6) Zimbabwe should designate a significant portion of the income earned by its National Parks back into operation of the Parks and into providing protection for the animals that live there.

Teresa M. Telecky, Ph.D.
David K. Wills

POST-SCRIPT

(Harare, Deutsche Presse-Agentur) On September 10, 1993, Zimbabwe's minister of the environment, Herbert Murerwa, admitted that his government's plan to dehorn its rhinos as a poaching deterrent had failed. Murerwa also announced that Zimbabwe has adopted a "crisis plan" to move its rhinos into small, heavily guarded areas called "Intensive Protection Zones" (IPZs) where it will be easier to combat poachers.

The HSUS/HSI has congratulated the President of Zimbabwe (Annex IV) for making this decision. The HSUS/HSI has also pledged support for verifiable efforts to move rhinos to IPZs.

FIGURE 1

1993 RHINOCEROS POPULATION FIGURES

Sumatran or Asiatic Two-Horned or Hairy Rhinoceros

Dicerorhinus sumatrensis

Total population numbers about 500, possibly more but estimates are unreliable. Found in Burma, Indonesia and Malaysia.

Great Indian One-Horned Rhinoceros or Indian Rhinoceros

Rhinoceros unicornis

Total population numbers about 1700, and is fairly stable but there has been a recent surge in poaching. Found in India and Nepal.

Javan or Lesser One-Horned Rhinoceros

Rhinoceros sondaicus

Total population numbers about 65, and is declining. Found in Indonesia on Java and possibly in Vietnam.

Black Rhinoceros

Diceros bicornis

Total population numbers about 2300, and is declining dramatically. Found in widely scattered, largely unprotected pockets, mainly in Tanzania, Zimbabwe, South Africa, Kenya, and Namibia.

White Rhinoceros

Ceratotherium simum

Total population numbers about 5600, and is declining in some areas but stable in others. Found in scattered but mostly well protected areas such as South Africa's Kruger National Park.

FIGURE 2

BLACK RHINO STATUS - 15 APRIL 1993

ESTIMATE

Area	P	E1	E2	E3	Total	D ⁿ	D ^{nk}
HWANGE NP, DEKA SA	-	73	25	20	118	51	2
MIDLANDS RANCHES	4	49	10	5	64	-	-
SAVE VALLEY CONSV.	-	23	1	1	25	20	-
MATUSADONA NP	6	15	5	3	23	19	5
BUBIANA CONSV.	1	23	-	-	23	20	1
LONELY MINE RANCHES	-	20	-	-	20	-	-
ZAMBEZI VALLEY ESCARP. Chewore South, Doma, Mana and Hurungwe	-	7	5	8	20	6	-
CHIZARIA NP	-	15	4	-	19	19	4
MATOBOS NP	-	9	-	4	13	9	-
MAT. N. FOREST AREAS, GWAAI ICA	-	7	3	2	12	7	-
CHIRISA SA	-	6	-	4	10	4	-
CHIPINGE SA	5	9	-	-	9	5	-
CHIREZI RIVER CONSV.	5	8	-	-	8	7	-
ZAMBEZI VALLEY FLOOR Hurungwe, Mana, Sapi	-	4	0	4	8	-	-
GONAREZHOU NP	5	4	2	2	8	-	-
IMIRE GAME PARK	-	7	-	-	7	-	-
CHARARA SA	-	2	-	5	7	-	-
WEST NICHOLSON	2	-	6	-	6	-	-
CHIPANGALI	-	5	-	-	5	-	-
ZV COMMUNAL LANDS Dande, Mukwichi, Hurungwe	-	-	-	5	5	-	-
MARULA RANCH	-	4	-	-	4	-	-
MHONDORO GAME PARK	-	2	-	-	2	-	-
PAMUZINDA LODGE	-	2	-	-	2	-	-
OMAY CL	6	1	-	1	2	-	-
TOTALS	-	296	63	67	426	157	12

P - Priority
 E1 - Definite
 E2 - Probable
 E3 - Possible
 Dⁿ - Dehorned
 D^{nk} - Dehorned animals killed/died

Source: Matusadona Plan for Intensive Protection, Zimbabwe National Parks and Wildlife Management Department.

FIGURE 3

WHITE RHINO STATUS -15 APRIL 1993

AREA	P	E1	E2	E3	TOTAL	D ^h	D ^{hk}
HWANGE NP, DEKA SA	-	85	10	5	100	70	82
MATOBOS NP	-	36	10	3	49	31	-
IWABA ESTATE	-	20	-	-	20	-	-
KYLE RP	3	11	-	3	11	8	-
LONE STAR RANCH	5	11	-	-	11	-	-
MAT. NAT. FOREST AREAS, GWAAI ICA	-	7	2	1	10	7	-
MCILWAINE RP	-	9	-	-	9	-	-
BUSHY PARK	-	5	-	1	6	-	-
SAVE VALLEY CONSV.	-	5	-	-	5	2	-
SIPUMA RANCH	-	3	-	-	3	-	-
NYMANECHE	-	2	-	-	2	2	-
GONAREZHOU NP	5	2	-	-	2	-	-
CECILKOP NATURE RES.	-	1	-	-	1	-	-
BEMBESI FOREST AREA	-	-	-	7	0	-	-
TOTALS	-	198	24	16	235	120	82

P - Priority
 E1 - Definite
 E2 - Probable
 E3 - Possible
 D^h - Dehorned
 D^{hk} - Dehorned animals killed/died

Source: Matusadona Plan for Intensive Protection, Zimbabwe National Parks and Wildlife Management Department.

ANNEX I

ZIMBABWE'S WILDLIFE PRICE LIST

DEPARTMENT OF NATIONAL AFFAIRS, AUSTRALIA

CALVES OF ALL, ABOVE ADULTS
AND ANIMALS DEFERRED TO BE SOLD TO BEST ADVANTAGE

CALVES OF ALL, ABOVE ADULTS
AND ANIMALS DEFORMED TO DE

ANNEX II

**MINUTES FROM MEETINGS
OF THE
ZIMBABWE
DEPARTMENT OF NATIONAL PARKS
AND WILDLIFE MANAGEMENT**

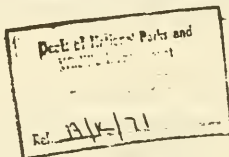
A/k/70

1107

DEPARTMENT OF NATIONAL PARKS AND WILDLIFE MANAGEMENTMINUTES OF THE MANAGEMENT MEETING HELD ON THE 13 OF JUNE 1990 AT MARONGORA
CONFERENCE ROOM : 1040 HOURS .PRESENT :

Chief Warden Ngwarai
 Ecologist Chidziya
 Warden Zvinongoza
 Warden Madawo
 Warden Nyariri
 Warden Buyeye
 Warden Searle
 Senior Ranger Murundu
 Senior Ranger Dimba
 Ranger Jakopo
 Ranger Tshuma
 Student Ranger Muroki

:- Marongora
 :- Umtshibi ✓
 :- Nyamaneche
 :- Mana Fools
 :- Matsadana
 :- Mkanga
 :- Doma
 :- Mana Fools
 :- Nyamaneche



Apology : Warden Giyayi

Opening Remarks

The chairman welcomed everyone to the meeting and gave the agenda, which was to review animal populations (particularly elephants) in the Zambezi Valley and to get recommendations on the subject from heads of stations in that area, before the cull can be effected.

Minutes of the Management Meeting held on 27th November 1989 : Head Office were issued so that everyone may read before the discussion started.

On population stabilisation, reference elephant culling, the Research Branch had recommended offtake of 2 000 elephants while the total population was estimated to be at 12 000. The chairman stated that all capture, translocations and culling in the parks and wildlife estate have been stopped till further notice.

The men on the ground expressed concern on the high figures estimated by Research because according to the previous numbers, the increase from 1985 has been incredibly high, for example, in 1985 elephants were estimated at 8 000, 2 000 were culled leaving an estimate of 6 000. Again in 1988 2 250 elephants were taken off. Then in 1989, estimates rose to 12 000.

Warden Searle said that in Matsadana, there are areas where there are high concentrations of elephant populations so that damage becomes evident in those areas. He recommended that taking off a few, eg twenty, not more than eighty would disperse the animals so that they get distributed evenly.

The main issue was to get the opinion of the men on the ground on whether the elephant population is high enough to warrant culling.

Officer-in-charge of Marongora, said though elephants are migratory using both escarpment and the floor, no big herds have been seen in his area, The biggest herd he had seen was eight animals. He said he feels that animals are within limit. He suggested that ecologists on the ground should be given the chance to do the survey and monitor their areas regularly and that this will improve communication between the two branches Research and Management. Ecologist Chidziya confirmed that there was not much damage on the escarpment.

It was discussed that a convenient procedure would be that a survey team should discuss with the man on the ground before the survey takes place and should notify him with their discovery after the survey.

Senior Ranger Murandu said that the population of elephants in his area is low and that the hunters have confirmed to this. He expressed his gratitude on the move, that man on the ground should be consulted in surveys involving their areas, because one time he was instructed to burn a point A to B in his area without an explanation.

In Mana Pools and Chewore, the officers-in-charge said ground cover reveal that population of elephants is low.

All heads of stations expressed satisfaction on the fact that the discussion took place before the cull was effected. They said, back in their areas, they would identify places that show environmental stress due to elephants destroying resources in that place and would make recommendations that mini culls be done to disperse the animals.

On minor culls for crocodiles, crocodile farmers have said that they have found an alternative on feeding their crocodiles, to getting meat from National Parks.

Any Other Issues

Warden Searle wanted to know why he is given impala on his quota yet there are plenty buffaloes than impala in his area.

Transport problem has become rife in Mkanga and also at Mkanga hunters have not yet signed their lease agreement.

Warden Zvinongobu asked what is being done on the bid for a motorised grader and also expressed concern on shortage of camping equipment and radios.

The department cannot be controlled by the department.

C. Tshuma
C. Tshuma
for Warden



Assistant Director (1)

MEETING OF MASHONALAND WEST HEADS OF STATION ON MANAGEMENT
PROGRAMME FOR ZAMBEZI VALLEY : 12 JUNE, 1990 AT MARONGORA

Present were:

Warden A Searle - Matusadona
 Warden S Zvinongodza - Marongora
 Warden F Buyeye - Mana Pools
 Ranger C Jakopo - Mana Pools
 Senior Ranger Murandu - Mkanga
 Warden P Nyariri - Nyamaneche
 Warden P Macawo - Umtshibi
 Ranger Chuma - Nyamaneche
 Ecologist Chidziya - Marongora

The purpose of the meeting was to discuss the minutes of Management meeting of 27/11/89 in relation to the take off recommendation of elephant in the Zambezi Valley.

The meeting pointed out that within the Zambezi Valley there were no high elephant populations to warrant a cull. It pointed out that there had been no significant vegetation damage since the 1988 elephant reduction exercise.

However, Warden Searle of Matusadona expressed the need to disperse herds of elephants that tend to concentrate on certain areas. He indicated that about 80 elephants could be shot. The house expressed the feeling that staff on the ground should be involved in such small culls.

However, the house felt that the survey teams should involve the management staff on the ground both in the survey process and on deciding what numbers to be reduced. It was also felt that resident ecologists should cooperate with the Wardens on station and together monitor population trend of big game within the areas concerned.

In Mana Pools Warden Buyeye thinks impala have increased and warrant reduction.

R J Ngwarai
 CHIEF WARDEN (RESOURCE MANAGEMENT)

ANNEX III

**SALE OF ELEPHANT CARCASSES
TO
CROCODILE FARMS**

(1986)

Management Unit
Crocodile

POLICY : ELEPHANT MEAT FOR CROCODILES 18.3.1966

1. Ad hoc culling of elephant for crocodile farms will cease with immediate effect.
2. The annual increment to the elephant populations of the Zambezi Valley, Matusadona, Chizarira and Swange will be culled and from these culls approximately 50 animals will be made available to each crocodile ^{farm} per annum.
3. National Parks will recover the ivory, the crocodile farmers will pay for and recover carcasses complete with hide.
4. Culls in any particular area will take place no more frequently than four times per annum. The occurrence of culls and intervals between them will be at the discretion of the Management Committee of the Department of National Parks and Wildlife Management.
5. National Parks will cover the costs of flying and shooting. Crocodile farmers will provide transport and labour. If necessary, the Department will assist with transport on a cost recovery basis.
6. Crocodile farmers will pay for carcasses at adult equivalent prices.
7. Adult equivalent prices will be set on the market value of the carcasses of culled elephant, less 15% for recovery costs, and will be reviewed annually.

For your interest. Passed by
Directorate
for

DR JIM HUTTON
CROCODILE MANAGEMENT
DEPARTMENT OF NATIONAL
PARKS AND WILDLIFE
18.3.66
20.3.66
21.3.66
22.3.66

SALE OF ELEPHANT CARCASSES TO CROCODILE FARMS :
ADULT EQUIVALENT PRICES 18.3.1986

An adult equivalent is considered to be an animal of 250cm shoulder height. Smaller animals produce disproportionately less meat and hide, larger animals disproportionately more. This is recognised and was incorporated into the Department's established chart for converting shoulder heights to adult equivalents.

In order to establish the market value of the adult equivalent the value of its hide is added to the value of its meat as recovered in the Department operations.

An adult equivalent produces approximately 100-120 kg dry hide and 600-700 kg fresh meat.

The market value of hide fluctuates widely but \$3.50 per kg is currently considered a good average price.

The meat is sold for 50c per kg. Thus the value of the adult equivalent is between \$650 and \$770. This has been rounded-up to give an adult fee of \$800. As noted in the Department's policy towards the provision of elephant meat for crocodiles, this adult equivalent price will be reviewed annually.

Attached is a table of adult equivalents for shoulder heights of 90-96-340cm. From this it can be seen that an elephant of 200cm will be charged as follows:

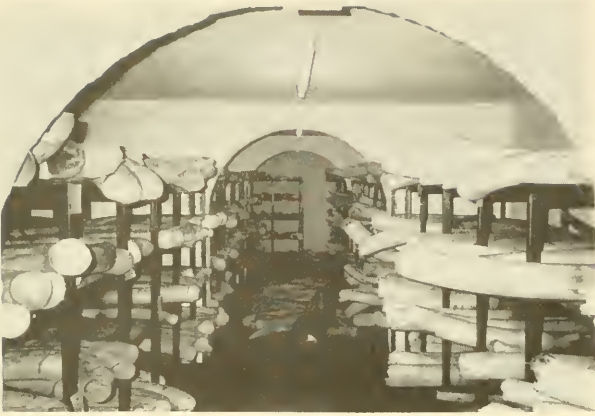
200 cm	=	0,512
0,512 x \$800	=	\$409.60
Less 15%	=	<u>\$348.16</u>

APPENDIX ATABLE OF ADULT EQUIVALENTS FOR SHOULDER HEIGHTS 90 - 340 cm

<u>Shoulder Height</u>	<u>Adult Equivalents</u>	<u>Shoulder Height</u>	<u>Adult Equivalents</u>	<u>Shoulder Height</u>	<u>Adult Equivalents</u>	<u>Shoulder Height</u>	<u>Adult Equivalents</u>
90	0,049	120	0,111	150	0,216	180	0,374
91	0,049	121	0,114	151	0,221	181	0,380
92	0,050	122	0,117	152	0,225	182	0,386
93	0,052	123	0,119	153	0,230	183	0,393
94	0,054	124	0,122	154	0,234	184	0,399
95	0,055	125	0,125	155	0,239	185	0,406
96	0,057	126	0,128	156	0,243	186	0,412
97	0,059	127	0,132	157	0,248	187	0,419
98	0,061	128	0,135	158	0,253	188	0,426
99	0,063	129	0,138	159	0,258	189	0,432
100	0,064	130	0,141	160	0,263	190	0,439
101	0,066	131	0,144	161	0,267	191	0,446
102	0,068	132	0,148	162	0,273	192	0,453
103	0,070	133	0,151	163	0,278	193	0,461
104	0,072	134	0,154	164	0,283	194	0,468
105	0,074	135	0,158	165	0,288	195	0,475
106	0,077	136	0,161	166	0,293	196	0,482
107	0,079	137	0,165	167	0,298	197	0,490
108	0,081	138	0,169	168	0,304	198	0,497
109	0,083	139	0,172	169	0,309	199	0,505
110	0,086	140	0,176	170	0,315	200	0,512
111	0,088	141	0,180	171	0,320	201	0,520
112	0,090	142	0,184	172	0,326	202	0,528
113	0,093	143	0,188	173	0,332	203	0,536
114	0,095	144	0,192	174	0,338	204	0,544
115	0,098	145	0,196	175	0,343	205	0,552
116	0,100	146	0,200	176	0,349	206	0,560
117	0,103	147	0,204	177	0,355	207	0,568
118	0,106	148	0,208	178	0,361	208	0,576
119	0,108	149	0,212	179	0,367	209	0,585

-2-

<u>Shoulder</u> <u>Height</u>	<u>Adult</u> <u>Equivalent</u>	<u>Shoulder</u> <u>Height</u>	<u>Adult</u> <u>Equivalent</u>	<u>Shoulder</u> <u>Height</u>	<u>Adult</u> <u>Equivalent</u>	<u>Shoulder</u> <u>Height</u>	<u>Adult</u> <u>Equivalent</u>
210	0,593	243	0,919	276	1,346	309	1,889
211	0,602	244	0,930	277	1,361	310	1,907
212	0,610	245	0,942	278	1,375	311	1,926
213	0,619	246	0,953	279	1,390	312	1,944
214	0,628	247	0,965	280	1,405	313	1,963
215	0,636	248	0,977	281	1,420	314	1,982
216	0,645	249	0,988	282	1,436	315	2,001
217	0,654	250	1,000	283	1,451	316	2,020
218	0,663	251	1,012	284	1,466	317	2,039
219	0,673	252	1,025	285	1,482	318	2,058
220	0,682	253	1,037	286	1,498	319	2,078
221	0,691	254	1,049	287	1,513	320	2,097
222	0,701	255	1,062	288	1,529	321	2,117
223	0,710	256	1,074	289	1,545	322	2,137
224	0,720	257	1,087	290	1,561	323	2,157
225	0,729	258	1,100	291	1,578	324	2,177
226	0,739	259	1,112	292	1,594	325	2,197
227	0,749	260	1,125	293	1,610	326	2,218
228	0,759	261	1,138	294	1,627	327	2,238
229	0,769	262	1,151	295	1,643	328	2,259
230	0,779	263	1,165	296	1,660	329	2,280
231	0,789	264	1,178	297	1,677	330	2,300
232	0,800	265	1,191	298	1,694	331	2,321
233	0,810	266	1,205	299	1,711	332	2,342
234	0,820	267	1,219	300	1,728	333	2,364
235	0,831	268	1,232	301	1,746	334	2,385
236	0,842	269	1,246	302	1,763	335	2,407
237	0,852	270	1,260	303	1,781	336	2,428
238	0,863	271	1,274	304	1,798	337	2,450
239	0,874	272	1,288	305	1,816	338	2,472
240	0,885	273	1,303	306	1,834	339	2,494
241	0,896	274	1,317	307	1,852	340	2,516
242	0,907	275	1,331	308	1,870		



HSUSHSHWILLS

30 tons of elephant ivory, mostly from elephants killed by the government of Zimbabwe, are stockpiled in anticipation of a renewed ivory trade.



KATHY MILANI

Elephant poaching is on the rise in some areas of Zimbabwe.



HSUS/MS/WILLS

Dehorning rhinos has not stopped poaching.



HSUS/MS/WILLS

3 tons of rhino horn are stockpiled by the Government of Zimbabwe.

ANNEX IV

**THE HSUS/HSI LETTER TO ZIMBABWE'S
PRESIDENT MUGABE**

September 20, 1993

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September 20, 1993

His Excellency Robert Gabriel Mugabe
Office of the President
Private Bag 7700
Causeway, Harare
ZIMBABWE

Dear Mr. President:

The Humane Society of The United States (HSUS) and its international arm Humane Society International (HSI) commend you and the government of Zimbabwe for publicly acknowledging the deteriorating status of the critically endangered black rhino and for candidly admitting the failure of current rhinoceros protection programs.

In particular, The HSUS and HSI are pleased that Zimbabwe has now concluded that dehorning rhinos is not an effective anti-poaching deterrent. The HSUS and HSI recently conducted an investigation into Zimbabwe's rhino conservation programs and are well aware that a large number of Zimbabwe's dehorned rhinos have been killed by poachers. Indeed, more than 50 percent of dehorned white rhinos in Zimbabwe have been killed. Moreover, the dehorning procedure itself is inhumane and very expensive. Accordingly, The HSUS and HSI encourage you to make a public announcement that Zimbabwe will prohibit any further dehorning of rhinos.

We also recommend that Zimbabwe abandon any potential plan to advocate re-opening the international trade in rhino horn at the 1994 meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Opening up a market in a rare and lucrative substance such as rhino horn will only lead to more rhino poaching and will further diminish the effectiveness of anti-poaching efforts.

Zimbabwe should also publicly destroy its vast rhino horn stockpiles, as has been recommended by CITES. The existence

The Humane Society of the United States
2100 L Street, NW, Washington, DC 20037
(202) 452-1100 FAX (202) 778-6132

President Mugabe
September 20, 1993
Page Two

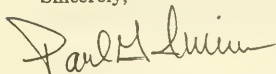
of these stockpiles, which some estimate to contain more than 3 tons of horn, only fuels speculation that they once again will enter trade, legally or illegally.

The HSUS and HSI encourage Zimbabwe to develop Intensive Protection Zones (IPZs) for rhinos. The HSUS/HSI investigation revealed the failure of Zimbabwe's rhino conservancies or "game ranches" to effectively protect rhinos from poachers. The conservancies simply do not have the security, equipment, manpower or money needed to protect rhinos. Moreover, heavy traffic in and out of the ranches makes it easy for poachers to slip into the conservancies undetected. And since local staff rarely profit from protecting rhinos, they can be easily bribed to allow poachers in, and may even be involved in rhino poaching directly. As an alternative to these ineffective conservancies, rhinos should be translocated to a few well protected IPZs away from rivers and international borders, where rhinos can be surrounded with scouts and equipment until their populations recover.

Finally, as you may know, the United Nations Environment Program (UNEP) recently held a "Rhino Donors Conference" at which governmental and non-governmental donors were encouraged to contribute to rhino protection projects in a number of range states. To demonstrate our resolve to help protect Zimbabwe's rhinos from poachers, The HSUS and HSI will donate \$5,000 initially to UNEP, earmarked for verifiable efforts to translocate rhinos to protected areas in Zimbabwe. The HSUS and HSI will also encourage the U.S. Government to make a substantial contribution to such rhino protection activities.

For years, The HSUS and HSI have shared your frustration as Zimbabwe's rhino population has slipped ever nearer the brink of extinction, despite vast efforts to stop the illegal flow of rhino horn and to enhance the protection of rhinos within range states. We are pleased with your recent initiatives and look forward to a cooperative effort to save these critically endangered species.

Sincerely,



Paul G. Irwin
President
Humane Society of the United States



John A. Hoyt
President
Humane Society International

cc: Ambassador Amos B.M. Midzi
Embassy of Zimbabwe
Washington, DC

**TESTIMONY OF SAFARI CLUB INTERNATIONAL
ON THE CONSERVATION OF RHINOCEROS**

**BEFORE THE SUBCOMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES
OF THE UNITED STATES HOUSE OF REPRESENTATIVES**

November 3, 1993

Chairman Studds, Representatives, Ladies and Gentlemen, I am John J. Jackson, III, Vice President of Safari Club International and Chairman of SCI's Renewable Natural Resources Committee. I appreciate this opportunity to present the views of SCI.

Background on Safari Club International

SCI is an international organization representing nearly one million hunter-conservationists. We are headquartered in Tucson, Arizona, and have 120 chapters in 17 countries. The bulk of our chapters are in the United States.

We spend more than \$1.5 million annually on a broad range of conservation and conservation education activities, including: our governmental affairs program to insure the use of conservation values in public decision-making, our conservation school in Wyoming, our state-of-the-art natural history museum in Arizona, our direct grants for conservation, our chapter conservation grants, and our matching grant program. In addition, we sponsor the Sportsmen Against Hunger program in which tons of game meat are donated annually to feed the homeless and the poor, and the Sensory Safari, in which the visually impaired are given a guided touch-tour of a wide variety of mounted wildlife specimens and are educated about the habits and habitats of the animals.

We have been involved in the rhino crisis for several years. We attended both donor/range state meetings sponsored by the United Nations Environment Programme (UNEP), and we have participated in the work of the CITES Animals Committee on this issue. We have also worked with Zimbabwe on the issues of de-horning safaris. We have several proposals for translocation and sanctuaries under consideration. Finally, we have prepared draft legislation defining a useful United States role in resolving the rhino crisis.

Rhinos in Crisis

It is not an exaggeration to say that rhinos are in crisis worldwide. There is only one startling exception -- the southern white rhino -- which I will discuss in detail in the next section.

Our review of the available information shows a world total of rhinos of all species of approximately 11,000 animals. Following are estimates of populations for the various rhino species:

I. AFRICAN RHINOS

Black rhino (*Dicerosis bicornis*) total = 2,500 (down from 62,000 in 1970)
 Zimbabwe - 425 Namibia - 490 South Africa - 820
 Kenya - 415 Tanzania - 125 others - 225

White rhino (*Ceratotherium simum*) total = 5,820
 Botswana - 55 Kenya - 55 Namibia - 80
 South Africa - 5,300 (most on game ranches) Zimbabwe - 250

II. ASIAN RHINOS

Javan rhino - (*Rhinoceros sondaicus*) total = 70
 Indonesia - 50 Vietnam - 20

Sumatran rhino - (*Dicerorhinus sumatrensis*) total = 650-950
 Indonesia - 400-700 Malaysia - 250

Indian rhino - (*Rhinoceros unicornis*) total = 2,000
 India - 1,600 Nepal - 400

The experts give the following reasons for this dire situation

"Poaching continues, with at least 100 black rhinos killed in Zimbabwe during 1991 and the white rhino populations in Swaziland being decimated trade measures have proved inadequate to protect rhino populations" [Chairman's Report, IUCN/SSC African rhino Specialist Group, 1992]

"Although this decline [of Asian rhinos] is in part related to habitat shrinkage and fragmentation, it seems likely that all these species have been declining for centuries, principally due to the excessive demand for rhino horn for use in oriental medicine " [Asian Rhinos, An action Plan for their Conservation, IUCN/SSC Asian Rhino Specialist Group, 1989]

"... since 1970, at least 85% of these animals have disappeared because of poaching or destruction of habitat ..." [UNEP's Efforts to Save the World's Rhinoceros, 1992]

"Zambian poachers are invading the northern part of Zimbabwe, partly out of economic desperation. Because of a persistent drought, the economy is also failing in Zimbabwe, and restructuring programmes ... have forced the Department of National Parks and Wildlife Management to lay off 264 game scouts ..." [UNEP's Efforts to

Save the World's Rhinoceros, 1992]

"Chinese are still using ... [rhino horn] ... in traditional fever-reducing medicines..." [UNEP's Efforts to Save the World's Rhinoceros, 1992]

"almost 80% of the herbal medicine shops surveyed in Taiwan sell horns from Asian and African rhinos." [UNEP's Efforts to Save the World's Rhinoceros, 1992]

Success with White Rhino - Conservation through Sport Hunting

In spite of the drastic decline of most rhino populations, there has been one outstanding success story -- the conservation of southern white rhinos in South Africa. South Africa's program, which includes sport hunting, has produced the world's only secure and stable population of rhino.

I received a communication last week from the head of the Natal Parks Board detailing the successful conservation of the southern white rhino in South Africa. Natal Province in South Africa was the home to the last 20 southern white rhino left in the world at the turn of the century. Today there are 3,000 southern white rhino in Natal and another 2,500 elsewhere in South Africa. Additionally, more than 3,300 rhino have been live-captured in Natal and sent around the world as the nuclei of both wild and captive breeding programs.

In Natal, 10% of the land is in protected areas, and another 20% is conserved informally by private landowners in the form of game ranches and other areas. The existence of the private land "reserves" is one of the keys to their success in conserving rhinos, and the Natal Parks Board says that one of the three primary reasons for the resurgence of rhinos (as well as lion, elephant and other species) on private land has been "the economic value and social value of wildlife." Thus, the provision of appropriate value to the wildlife has served as an incentive to private landowners for the conservation of habitat, ecosystems and wildlife.

Throughout South Africa, "tourist" sport hunting (which means low-volume, select, regulated, non-resident hunting by tourists) is one of the most effective methods for providing appropriate value to a species. The tourist hunting activity is extremely easy to regulate, has virtually a zero biological impact on the populations, requires very little infrastructure, and generates very high returns.

Other uses, such as the sale of breeding stock and tourism are also elements, but nothing brings the value per unit of effort that tourist hunting does. Without that hunting, the other uses would not be sufficient to support the maintenance of the land as protected areas. In the case of southern white rhino, the Natal Parks Board has provided us figures that show that sport hunting of the southern white rhino has raised \$1,750,000 over the last eight years. An average of eight rhino are taken each year.

It is difficult to over-emphasize the fact that the program in South Africa is the **only** example in the world where a rhino population has been stabilized and improved. Tourist sport

hunting is a key element in the continuation of the program. This is dramatic proof of the important role that is played by tourist sport hunting in wildlife conservation in the third world. This Subcommittee needs to recognize and foster that fact in legislation.

In recognition of the importance and success of this program, the U.S. Fish and Wildlife Service long ago authorized the importation of sport hunting trophies of southern white rhinos from game ranches in South Africa and Namibia. Unfortunately, the Service's administration of the Endangered Species Act has become so restrictive that we and the world wildlife conservation community are concerned today.

Wildlife experts from South Africa agree that without the tourist sport hunting, the southern white rhino conservation program would be in jeopardy. It is the backbone of wildlife conservation in South Africa for rhinos and many other species, not to speak of the preservation of ecologically important areas. This is also true in many other countries, some of which apply the same approach to the conservation of communal lands and wildlife.

The importance of providing appropriate value to rhino and the ecosystems on which rhino depend, and the leading role played by tourist sport hunting, has also been recognized by other governments and by international bodies as well. For example, a 1992 working group of the CITES Animals Committee suggested that both de-horning safaris and regular safari hunting of rhinos be considered as options for conservation of other subspecies of rhino, besides the southern white.

Failure with Black Rhino - U.S. Refuses to Authorize De-horning

Unfortunately, with the exception of the southern white rhino, the United States has failed to utilize tourist sport hunting as a conservation measure for the rhino. The best example of this failure is the situation with de-horning safaris.

In 1992, the government of Zimbabwe approached SCI for assistance in setting up de-horning safaris in their country. At that time, they had more than 2,000 black rhinos. Zimbabwe, as well as other countries, had come up with the strategy of de-horning to make their rhinos less attractive to poachers. Zimbabwe estimated that it cost between US\$1,000 and US\$2,000 per animal for the de-horning operation. The Zambesi Society, a conservation group in Zimbabwe, estimated that it would cost over \$400,000 for the current dehorning operations. They indicated that much of the cost is for helicopter and fixed-wing aircraft flight time. The de-horning has to be carried out regularly, because the rhino horn grows back within three to five years.

Zimbabwe proposed that safari hunters could go out with a de-horning team and track and dart the rhino with an anaesthetic. After the team had removed the horn, it would be given to the hunter to take home as his trophy. The fees paid by the hunter would not only cover the cost of the de-horning operation, but would provide extra funding which could be used in other aspects of Zimbabwe's rhino conservation program. Also, as has been shown with the

African elephant, the presence of the hunting operation deters poaching and creates incentives for the local people to refuse to tolerate the presence of poachers and to want the rhino to multiply.

SCI estimated that U.S. big game hunters would be willing to pay \$15,000 for the challenge of tracking and darting a black rhino, provided they were able to return home with the horn. Since a rhino horn regrows, we estimated that a single rhino would have a "de-horning value" of nearly \$100,000 over its lifetime. Our initial inquiries indicated that there was a sizable market within the hunting community for de-horning safaris, and we went ahead and amended the SCI's Record Book to award and recognize the merit of de-horning.

The concept of de-horning safaris gained broad international support. We have attached several documents to illustrate this, and have provided a copy of a booklet entitled "The Decline of the Black Rhino in Zimbabwe," authored by TRAFFIC International, to the Subcommittee staff. ["TRAFFIC" stands for Trade Records Analysis of Fauna and Flora in Trade, it is an international group of expert analysts who track wildlife trade for the CITES treaty organization.]

One of the attached documents is a memorandum to me from the East/Southern Africa office of TRAFFIC, in which the author, Dr. Tom Milliken, says "I think your organization could play a very important future role in Zimbabwe's policy to dehorn wild rhinos by promoting darting/dehorning safaris among your members." He goes on to say that this would be a "valuable contribution to Zimbabwe's rhino conservation programme." Another attachment is a July 1992 report to the CITES Animals Committee from the TRAFFIC Network that supports the ideas of rhino dehorning safaris and rhino hunting. We have also included a publication of the IUCN's Sustainable Use of Wildlife Programme that discusses darting safaris and a resolution of the CITES Standing Committee supporting activities of range countries, "including initiatives to reduce poacher interest in these animals through dehorning ...".

The TRAFFIC booklet discusses the pros and cons of dehorning and comes to a conclusion supporting the dehorning concept and the use of darting hunts to provide funding (see pp. 46-51). It also discussed the possibilities of trophy hunting. Although it reflects a cautious approach toward this subject, it points out that Zimbabwe believes it could obtain trophy fees of \$100,000 to \$200,000 per animal for trophy hunting, and cites the South African experience with southern white rhinos as an example of a successful program. The booklet includes an appropriate quotation from Dr. Kiss at the World Bank in regard to the environmental desirability of hunting activity:

Of all types of wildlife utilization, safari hunting probably has the least environmental impact. [Tourist] Hunters demand a truly natural landscape, they generally require and cause less modification of the habitat than do tourists and they are content with much lower animal population densities. They kill and remove a small proportion of animals from the population."

In December of 1992, SCI submitted an application to the U.S. Fish and Wildlife Service for the importation of the horn which is the result of a de-horning safari. We submitted this on an "emergency" basis, since Zimbabwe had told us that poaching pressure on the rhinos was intense, and they were running out of money to support their de-horning operation. We provided substantial information with our application, including information on the safety of the de-horning operation for the rhinos, its apparent lack of impact on rhino behavior, and its apparent success in deterring poaching.

Nearly a year later, there has been no action on our permit application!

As time dragged on, Zimbabwe's ability to protect its rhinos broke down. Their wildlife agency, robbed of its income-generating potential for both elephants and rhinos and burdened with high expectations and other problems, has virtually run out of money. The poachers, perhaps sensing the end in sight, have accelerated their efforts. They have even killed rhinos that have been de-horned. The black rhino population of Zimbabwe has now declined to about 400 animals.

There are several theories as to why the poachers have killed de-horned animals. Some people speculate that they are trying to secure the black market value of their illegal stockpiles of horn by killing off all of the remaining rhinos. Other people have said that the poachers are killing a de-horned rhino that they have tracked so as to avoid tracking the same animal again. In either case, Zimbabwe is not gaining the \$100,000 per rhino value that darting safaris would have given, and therefore does not have the resources necessary to protect the rhinos.

It is hard for us to imagine a greater tragedy in wildlife conservation! In a very real sense, the Nero's of the world have fiddled around while Rome has burned. Our application for de-horning safaris was blocked by a variety of self-righteous organizations who were completely opposed to the concept of conserving a species by providing any kind of value to it. For a year, they have worked to block the issuance of de-horning permits and have opposed any other proposal that would have given appropriate value to the rhino. Neither have they helped to find ways to fund range country conservation measures. Instead, they have been content with calls for sanctions and bans on the importing countries.

SCI does not object to strong measures to encourage market countries to do their utmost to shut down illegal trade. But it is patently clear that such measures are the most prominent courses of action because they cost nothing, have great media appeal, and give the appearance of having done something. Real control over the illegal markets is difficult and time-consuming. Bans and sanctions have a limited effect. To engage in these measures to the total exclusion of strategies which provide appropriate value to the rhino is the utmost in conservation stupidity. The end result is predictable -- rhinos will become extinct, or at best will be reduced to relict populations in outdoor zoos.

What is the Problem? - the ESA and Foreign Species

The U.S. failure to issue de-horning permits illustrates the serious problem that is created by the administration of the Endangered Species Act (ESA) in relation to foreign species.

To appreciate the problem, you must begin with a recognition of the severe limits in both the law and its administration when applied to a species that does not exist in the United States. First, the staff of the U.S. Fish and Wildlife Service does not have practical, or even academic, expertise or knowledge in these species or range conditions. They must rely on the opinions of others. Second, their ability, and apparently their inclination, to consult with the range countries in a meaningful fashion is extremely limited.

The result of these limitations is apparent in both listing and permit actions by the Fish and Wildlife Service. Actions are taken, or not taken, as the case may be, based on political perceptions and bureaucratic concerns more than on tenets of good conservation. Most seriously, actions are taken without adequate discussion with the wildlife officers in the range countries who are responsible for the conservation of the species. This is not entirely the fault of the Service, although we think that they could exert themselves more in this direction. Even if they were inclined to work with the responsible government officials in other countries, budget considerations normally reduce them to writing letters and waiting for responses. They do not have the same ability to sit down with their counterparts that exists when the species is found in this country and a state agency has the primary responsibility for its conservation.

Unlike the listing of a domestic species, the legal and economic effect of a listing of a foreign species is also severely limited. The U.S. does not spend any significant amounts of money under the ESA on species that occur overseas. It does not develop recovery plans for them. It does not engage in section 7 consultations. It does not designate critical habitat.

About the only thing accomplished by listing a foreign species is to cut off the importation of that species. In the case of hunting trophies, that can often destroy the one program that provides an incentive and a sustainable funding base for the conservation of the species in question.

In addition, the listing of the species creates a false image that the species is being assisted, but because most of the mechanisms of the ESA are either inapplicable or impractical, nothing is being done. This was the reason for the passage of the AECA, and is likewise the rationale behind SCI's draft legislation.

This is essentially what has happened with SCI's application to import black rhino horn from de-horning safaris. Because of the earlier listing, the current action, which could have had a beneficial effect in Zimbabwe, has now been blocked for a year, during which time the rhino population in Zimbabwe has been nearly destroyed. The same thing happened recently with the listing of argali sheep, a wild mountain sheep found in Asia. SCI brought suit in an effort

to halt the destruction of the conservation programs of several countries. Incredibly, the court held that under the ESA such destruction of a conservation program, and lack of any countervailing benefit, was irrelevant as a matter of law!

SCI currently has a suit pending to stave off the same kind of destruction of conservation programs for the African elephant. The Fish and Wildlife Service, without consultation with the range countries, has proposed an unworkable and irrelevant set of standards for the importation of elephant sport hunting trophies. They have done this despite the recognition by this Subcommittee, in the African Elephant Conservation Act (AECA), that sport hunting programs are beneficial to elephant conservation. The Service, which has been following these guidelines despite the fact that they have yet to be adopted, has completely destroyed the conservation of at least one country. This demonstrates the need for this Subcommittee to develop specific legislative safeguards to prevent the mis-administration of the ESA.

The problem is the same, whether we are speaking of rhino de-horning permits, standards for elephant trophy importation, or the listing of an Asian mountain sheep. The U.S. is extremely limited in the effective actions that it can take in regard to species that occur elsewhere. In order to be effective, the U.S. must rely heavily on cooperative programs, developed and carried out in concert with the responsible officials in the countries where the species occur. This makes it incumbent on this Subcommittee to adopt special legislation and funding to deal with the rhino.

What is the Solution? - AECA-type Legislation

It is with this in mind that SCI developed draft legislation some time ago for rhino conservation. A copy of the draft is attached to this statement.

The draft calls for a \$10 million annual fund to aid rhino range states, and specifically recognizes tourist sport hunting and the concept of providing value to a species as important elements of conservation. The draft is modeled closely after the AECA, which was developed by this Subcommittee in 1989.

We see the AECA-type of legislation as an important adjunct to the ESA, especially in regard to foreign species. As we pointed out above, the U.S. is extremely limited in what it can do to help conserve such species. The bottom-line responsibility for their conservation belongs to the countries in which they are found. Those countries do not necessarily operate within the same social, cultural or economic systems that we do. Therefore, effective conservation measures must be tailored to work in those countries. The wildlife conservation officials of those countries are in the best position to determine what will work. It has been our experience that for species such as rhino, elephant and argali sheep, tourist sport hunting programs are a useful and desired element of conservation in those countries.

The idea for the draft legislation came out of SCI's participation in the two emergency donor/range state meetings sponsored by UNEP on the financial needs of rhino range states.

At the first such meeting, in December, 1992, it was clear that there were many substantial programs and projects for rhino conservation in range countries that required funding. It was following that meeting that we started working on the draft legislation.

At the subsequent meeting in June, 1993, the African and Asian range countries identified almost \$50 million worth of needed projects. The donor organizations were only able to come up with \$5 million in funds, leaving a sizable short-fall. We announced the SCI draft legislation at that meeting and circulated copies. Our announcement was greeted with excitement by the delegates because it was seen as the only real hope to find the funds necessary to save the rhino.

Where Have We Come Since Kyoto?

In March, 1992, when several thousand people gathered at the Eighth CITES Meeting, there were more than 2,000 black rhinos in Africa. Today there are 400.

What has the world community done to save the rhino in the year and a half since Kyoto?

The sad answer is that very little has been done. As I described above, the two UNEP donor/range state meetings came up short by a wide margin. The actions that have received most of the press have been the threatened sanctions against Asian countries for the continued existence of the illegal market for rhino horn.

At Kyoto, representatives from southern Africa made the halls ring with their anguish over the failure of the delegates to take decisive action in the face of the probable extinction of the rhino. They and others, including the Secretary General of CITES, the Animals Committee of CITES and the TRAFFIC group have called for inventive and open approaches to save the rhino.

In particular, they have called for the consideration of approaches which will provide appropriate value to the rhino. They are painfully aware that it is well and good for countries which do not have rhinos to come up with strategies to save rhinos, but that it is quite another thing to pay for all the things that must be accomplished to actually save the rhinos.

It is highly commendable that this Subcommittee is taking a serious look at what can be done by the United States to stave off this latest conservation disaster. Let us hope that before the Ninth CITES meeting next year in Fort Lauderdale, and before the Biodiversity Convention begins to operate, the United States will have assumed an effective and meaningful leadership role in conserving the rhino.

Attachment 1
4 pp.

TRAFFIC EAST/SOUTHERN AFRICA
 c/o Department of National Parks and Wildlife
 P.O. Box 30131, Lilongwe 3, Malawi
 tel: 265-723-676/566 fax: 265-723-089

TELEFAX MEMORANDUM

ATTN: Mr. John J. Jackson, III
 Safari Club International

FROM: Tom Milliken, TRAFFIC East/Southern Africa

CC: George Pangetti and Rowan Martin, Zimbabwe National
 Parks and Wild Life Management

DATE: 10 August 1992

RE: Black Rhino Darting Safaris in Zimbabwe

Dear John,

It was nice meeting you recently at the CITES Animals Committee meeting in Harare. As discussed, I think your organization could play a very important future role in Zimbabwe's policy to dehorn wild rhinos by promoting darting/dehorning safaris among your members. If details can be worked out to the satisfaction of all concerned parties, I believe a black rhino darting safari would offer your members a challenging sport hunting experience (complete with a take-home horn trophy), while making a valuable contribution to Zimbabwe's rhino conservation programme and generating badly needed revenues for the country's wildlife authorities and/or rural communities.

I must emphasize from the outset that I am not in a position to speak for Zimbabwe's Department of National Parks and Wild Life Management (DNPWLM) and it must be understood that the future framework for darting/dehorning safaris will have to be worked out under the auspices of that department. Nonetheless, I would like to respond to the best of my ability to the written questions I received from you at the Animals Committee meeting (attached herewith in typescript). You raise many concerns which I am unable to provide answers for, but as you can see, I have copied this letter to officials in the DNPWLM in order to facilitate future contacts and discussion. Perhaps you could get in touch directly to solicit answers to outstanding questions and issues.

In response to your questions:

PRICE - (Questions 1, 2, 5C,D and 11) Concerning the price of a darting safari, I am not in a position to really say what the going rate would be; certainly you are better positioned than I to know what the sport hunting market would be prepared to pay for such an opportunity. As is the case for other game species in the country's sport hunting programme, I suspect that commercial safari operators in Zimbabwe would handle basic arrangements on a for-profit basis under an agreed protocol with the DNPWLM. From the standpoint of conservation, I'm most interested in maximizing the return which goes directly to Zimbabwe's wildlife authorities or to the local communities upon whose lands the rhinos exist. You had mentioned that if darting safaris were kept on a fairly exclusive basis (say ten or so a year), it might be possible to have a return as high as US \$30,000 if a tax deduction could be included in the package. I would think this may be the best option although the DNPWLM may have a different view. Concerning tax benefits, I think it would be very possible to offer such an arrangement through a qualified, US-based conservation organization whereby clients could pay part (or all?) of the safari costs to the group, which would then channel the donation directly to the Zimbabwe government or some other designated body or fund in the country, in order to receive a tax deduction. If this seems like a feasible option and has the approval of the Zimbabwe government, I would certainly be prepared to assist you in this regard. And finally, I think it may be possible to combine a rhino darting/dehorning safari with sport hunting of other species, but I'm sure that such an arrangement would have to be made between the Zimbabwe government, the local safari operator, and the prospective client.

CONTACTS - (Question 3) I do not know who in the department would be responsible for darting/dehorning safaris, but I would suggest that you initially contact Mr. George Pangetti or Mr. Rowan Martin:

Department of National Parks and Wild Life Management
P.O. Box 8365
Causeway, Harare

Tel: (263)-4-792786/7/8/9
Fax: (265)-4-724914

LOCATION - (Questions 4, and 5B) I would doubt that black rhino darting safaris would be allowed inside of Zimbabwe's National Parks. In all probability, they will be offered within existing safari hunting areas, on communal lands where wild rhino are still extant, and possibly on private lands. Again, the DNPWLM will make a final determination on this issue. It is also my understanding that the black rhino which would be offered for darting/dehorning safaris will be wild, free-ranging animals and not contained in any way. In fact, I'm told by informed sources that a successful black rhino 'hunt' would involve a lot of skilful tracking and effort. It's very likely that a darting safari would be a real challenge to tested sport hunters.

TRIP LOGISTICS - (Question 5A,F) Most logistical arrangements would probably be made through the local safari agent, but I suspect that Harare would most likely be the point of entry and departure for most international travellers. The trip duration is variable I am sure, but it's likely to involve time to track and locate target animals as rhino densities are very low. I would think that it would be reasonable to assume that 10 to 14 days would be required, particularly if other species were included in the package.

DARTING PROCEDURES/EQUIPMENT - (Questions 6, and 7) I attach herewith relevant pages from the DNPWLM's report on the experimental dehorning operation for white rhinoceros (*Ceratotherium simum*) in Hwange National Park in 1991. There may have been adjustments in the immobilisation and reversal drugs for black rhino and I am currently trying to ascertain this information for you. In the meantime, this description is indicative of the procedures and equipment needs. I would suspect that the basic equipment would be procured by the local safari operator and that he would provide opportunities for his clients to practice before embarking on the hunt.

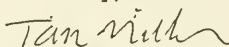
RISKS TO RHINOS AND DARTING TEAMS - (Questions 8, and 12) I'm sure that the Zimbabwe government will want to establish a protocol of sorts for darting/dehorning safaris. It is very possible that the DNPWLM will include a requirement that a certified and experienced veterinarian be present during the hunt to ensure a successful, safe operation. It is also very likely that an experienced individual, rather than the client, would actually remove the horn. The inclusion of such personnel in the safari would probably satisfy any requirements for safety that you would have. So far, I am unaware of any injuries to individuals participating in the darting/dehorning operations to date. As for risks to the rhinos, in the above paper you will note that five out of 71 immobilised animals died during the experimental dehorning exercise in Hwange National Park in 1991. All of these fatalities occurred within the first 35 animals and subsequent drug dosage was modified in response to these losses. This year at least another 60 black and white rhinos have been immobilised in Zimbabwe and none have been lost. Therefore, it is safe to say that risks to rhinos have been greatly reduced and not a single animal has been lost out of the last 100 rhinos immobilised. Certainly, in face of the country's poaching crisis, the risks to rhinos from dehorning are minimal.

OFFICIAL APPROVAL/EXPORT PERMITS - (Questions 5E, 9, and 10) Again, I am sure that the Zimbabwe government officially will sanction darting/dehorning safaris through some kind of protocol which establishes specific guidelines, rules and regulations. This will ensure that all safaris which are undertaken within the authorized framework are legal under the country's national wildlife protection laws. Within this context, it should be a routine matter to secure the necessary export documents in order to bring legitimate rhino horn trophies to a client's home country as non-commercial trade.

I hope these answers, incomplete as they are, are useful to you. It's quite clear that a lot of details remain to be worked out before black rhino darting/dehorning safaris become a reality. Still, I think if the interest is great enough things will move forward in a timely manner. I look forward to learning how things develop in the US concerning this matter, particularly if the Fish and Wildlife Service is amenable to issuing import licenses for non-commercial rhino horn trophies without having to undertake an elaborate review process. Please keep me informed of developments. Also, if there is anything I can do for you over here, please don't hesitate to get in touch.

With best wishes,

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Milliken", with a stylized, flowing script.

Tom Milliken
Director

enclosures

Dehorning

Attachment 2
5 pp.

A REPORT TO THE CITES ANIMALS COMMITTEE

ON

TRADE IN RHINO HORN

TRAFFIC NETWORK

July 1992

BACKGROUND

Status of the World's Rhinos

There are five extant species of rhinoceros, three in Asia and two in Africa. Close to 85% of the world's rhinos have been lost since 1970 and the total number of all species could be as low as 10,000 animals today. The great one-horned rhino (*Rhinoceros unicornis*) numbers about 2,000; populations in Nepal are reasonably stable under constant military guard, but those in the Indian states of Assam and West Bengal, after trebling in number between 1964 and 1984, have failed to expand since then because of periodic poaching losses which could get worse in the future. There are few accurate data on the Sumatran rhino (*Dicerorhinus sumatrensis*) of Southeast Asia's tropical forests, but the total population is not likely to exceed 500-900 animals and it is declining throughout its range in the face of serious deforestation and persistent hunting. The region's other species, the Javan rhino (*Rhinoceros sondaicus*), numbers fewer than 80 animals, all but a handful located on an isolated peninsula in western Java, Indonesia. In Africa, the black rhino (*Diceros bicornis*) has declined faster than any other large terrestrial mammal in recent times: from a minimum continental estimate of 65,000 in 1970, possibly as few as 2,400 remain today, with most animals found in Zimbabwe, South Africa, Namibia, and Kenya. Only the white rhino (*Ceratotherium simum*) population of southern Africa seems secure for the moment with about 5,000 animals, while the survival of the northern subspecies rests on a single population of fewer than 30 animals in the Garamba National Park in northeastern Zaire.

Rhino Conservation and CITES

All five species of rhinoceros have been listed on CITES Appendix I since 1977. While the Convention prohibits international commercial trade in rhinoceros parts, derivatives and products, CITES has little impact on national trade. Consequently, most

consuming markets continue to thrive. At the sixth meeting of the Conference of the Parties (Ottawa, 1987), it was recognized that CITES was failing to stem illegal trade in rhino horn and that rhino populations were continuing to decline at a frightening rate. Resolution Conf. 6.10 (Trade in Rhinoceros Products) was adopted, urging all Parties to take exceptional measures to effect "a complete prohibition on all sales and trade, internal and international, of rhinoceros parts and derivatives, especially horn, whether whole or in any other form, including personal effects". The only exemption provided for in the resolution was for the "non-commercial movement of legitimate hunting trophies" in recognition of the conservation merits of South Africa's policy of limited sport hunting for white rhinos.

In 1989, as a consequence of the predominance of the African elephant issue to the virtual exclusion of all other matters, trade in rhinoceros horn was removed from the agenda of the seventh meeting of the Conference of the Parties (Lausanne, 1989) and not discussed at all. At the last Conference of the Parties (Kyoto, 1992), South Africa and Zimbabwe both submitted proposals to transfer specific white and black rhino populations to Appendix II and initiate controlled legal exports of rhino horn to help augment their substantial recurrent expenditure on in situ rhino conservation, particularly anti-poaching activities. While the Parties ultimately rejected these proposals, it is disappointing to note that there was a serious lack of substantive discussion on the plight of the world's rhinos and the merits of the new conservation strategies emanating from southern Africa. Subsequently, at the 28th meeting of the Standing Committee in June 1992, members adopted a resolution (Trade in Rhino Horn), which has been circulated at this meeting.

DISCUSSION

Are Current Strategies to Conserve Rhinos Working?

Trade in rhino horn is the primary threat to all rhinoceros species today. Most rhino horn ends up in the Far East, principally China, both Koreas, Taiwan, and the overseas Chinese communities in Southeast Asia, where it is used as an ingredient in traditional medicines. In most cases, the purchase and use of rhino horn in Asia, is not a conscious decision on the part of consumers who potentially number in the hundreds of millions. Rhino horn also finds its way to the Middle East, mainly Yemen, where it is fashioned into traditional dagger handles.

Strategies pursued thus far to stem the decline of the world's rhinos, including initiatives under the Convention, have essentially relied upon two basic components: in range states, the emphasis has been on increasing local anti-poaching and law enforcement capacities to stem rhino losses in the wild; and in consuming nations the focus has been on reducing demand for rhinoceros products through the promotion of substitutes, public awareness efforts, and compulsory trade bans.

Fifteen years later, there is little evidence to suggest that efforts have met with success on either of these fronts. In most range states, even those where a serious commitment to rhino

protection has been made, the resources simply do not exist to prevent constant attrition of rhino populations under sustained poaching pressure. For example, studies have shown that effective in situ black rhino conservation requires a manpower deployment of 1 man/20 km² and a budget investment of US \$400/km² of habitat. With the sole exception of South Africa, not a single range state on the continent has been able to meet the recurrent costs of black rhino conservation, even with large-scale outside funding assistance. Moreover, prospects for doing so in the future remain dim. Recent innovative field strategies such as Zimbabwe's policy of dehorning all wild rhinos, are only done so in the context of crisis management and at tremendous expense—over US \$1,000 per animal; dehorning is not a solution in and of itself. The sad reality is that, with the passage of time, the ground war to save rhinos is being lost wherever it is being fought.

At the same time, few inroads are being made to stem demand for rhino horn abroad. In all consuming nations except North Korea, import, re-export and export bans for rhino horn and other products have been enacted, either in conjunction with joining the Convention or, in the case of non-Parties, under national legislation. The result is that the trade now flourishes entirely unreported in official trade statistics, and can be quantified only by estimating stockpiles in consumer countries and counting the carcasses of poached rhinos in range states. As previously stated, internal trade issues are not within the mandate of CITES and the enactment of effective internal domestic policies has been fraught with legal pitfalls and popular opposition in all but a handful of countries.

The Standing Committee Resolution: Trade in Rhino Horn

While the overriding intent of the Standing Committee's resolution (Trade in Rhino Horn) is clearly to re-focus attention on the rhino crisis, unfortunately, its language is vague, imprecise, and seemingly in conflict with itself, advocating both a need for innovative ideas while proposing an intensification of the long-standing, orthodox solutions offered to date. Bearing in mind that we have failed to conserve rhinos through the strategies that have been employed over the last two decades, it is worth reviewing a number of issues which arise out of the operative components of this resolution.

Information Review and Trade Studies - The resolution calls for the Secretariat to initiate a special project to gather information on the "levels of stockpiles, current usage and demand and current illegal supply of rhinoceros horn from African and Asian sources in countries of use". While TRAFFIC continues its worldwide efforts to bring together all accessible information and data on the rhino horn trade and encourages any contribution which can be made towards this end, it nonetheless must be appreciated that the process is laborious, stark gaps in our state of knowledge will remain in spite of our best efforts (i.e. North Korea), and we will continue to lose rhinos every step of the way. To date, over 100 trade studies, assessments, critiques and analyses of the rhino horn trade have been done and it is unlikely that any more study is going to change.

perspectives significantly. It is arguable, that new, innovative approaches to rhino conservation can be identified immediately on the basis of the existing body of information. TRAFFIC would urge that the Animals Committee endorse such an approach so that decisive and pragmatic action will not be delayed in the interest of further academic study and review.

Efforts in Consumer Nations - The resolution directs the Secretariat to push consumer nations "to control illegal trade, mount media campaigns to educate users to the plight of the rhinoceros species and look for appropriate substitutes for rhino horn in medicines and other uses". While TRAFFIC has been, and continues to be, active on all of these fronts, it needs to be emphasized once again that education efforts and the promotion of substitutes to date have had little impact in the consuming markets of Asia and the Middle East. Indeed, most of the areas where these needs are greatest lie beyond the reach of conservation education efforts commonly practised in Western countries. Moreover, there is little to suggest that even redoubled efforts along these lines will meet with success before the ecological extinction of some species of rhinos. With respect to illegal trade, most countries have already taken the necessary steps to impose external trade bans in compliance with CITES. The basic problem involves the imposition of domestic trade bans which technically remain beyond the purview of CITES. Most countries seriously dealing with this issue are experiencing legal difficulty in penalizing the possession and/or sale of rhino horn which was acquired before national import bans came into effect. The issue is further compounded by the fact that none of these countries instituted measures to identify existing rhino horn stocks when they prohibited importation. While we strongly advocate the development of strict internal control policies, the fact remains that legal constraints now dictate the instigation of cumbersome administrative processes to identify and register 'legitimate' rhino horns and other products, and, in many situations, the establishment of avenues for their dispensation in local markets. The point is that rhino horn trading will continue well into the future even under the best circumstances. It is worth remembering that in Hong Kong, the only example in Asia where all aspects of rhino horn trade have been prohibited under law, the process took thirteen years. It is essential that the Animals Committee remain cognizant of these complexities and note that the specific actions advocated in this component of the resolution are long-standing and efforts to date have done little to stem the decline of rhinos.

Practical Support to Range States - TRAFFIC supports the Standing Committee's endorsement of dehorning and translocation of vulnerable rhinos within range states to deter poaching, but, again, we would like to emphasize the high cost of such activities and the fact that there is no scope within the Secretariat's current budget to assist such efforts. Unless individual Parties or non-government organizations themselves come forward with unprecedented levels of funding, there is little hope such activities can be widely and regularly implemented to secure the future of the world's rhinos. The record to date clearly demonstrates that neither range state expenditure, other government funding, or contributions from the

conservation community have been able to secure adequate funding for rhino conservation and the costs continue to rise all the time. It would be useful for the Animals Committee to acknowledge this point.

The Issue of Stockpiles - The Standing Committee resolution notes the "existence of substantial illegal stockpiles of rhino horn in some countries, including Parties to the Convention", calls them "totally unacceptable to and incompatible with implementation of the Convention", urges "action to acquire and destroy rhino horn on the part of government agencies responsible for CITES", and finally notes "that failure to take such action would be viewed as a serious infraction, likely to result in a call for trade bans or other appropriate actions". It is difficult to understand what the terminology "illegal stockpiles" actually means in the context of this resolution. While TRAFFIC acknowledges that "illegal" rhino horn stockpiles are no doubt in existence, with rare exception, they remain in the hands of unknown traffickers and black market dealers until detected through appropriate law enforcement activities. If the Standing Committee has specific evidence of "substantial illegal stockpiles" anywhere in the world, TRAFFIC urges that they be revealed. Equally, it must be acknowledged that there are "legal" stocks in both consuming countries and range states in the hands of private individuals as well as government agencies. These include rhino horn and other products which were registered under national control policies (e.g. Hong Kong, China, Taiwan), as well as stockpiles which derive from law enforcement activities, dehorning exercises, natural mortality, and other means. It remains unclear whether the Standing Committee resolution regards these stockpiles as "illegal" and whether it is advocating punitive action against the holders of such stocks if they do not destroy them. On a final note, it must be appreciated that legitimate rhino horn stockpiles will continue to accumulate, particularly if dehorning becomes an institutionalized feature of *in situ* rhino conservation in range states. It would be useful if the Animals Committee would provide clarification on this matter.

In conclusion, to characterize rhino conservation efforts under CITES over the last two decades as anything less than a total failure would be irresponsible. While TRAFFIC appreciates the Standing Committee's efforts to bring the declining fortunes of the world's rhinos back to centre stage, it is disappointing to note that the agenda of activities offered in the resolution amount to little more than a rehash of previous efforts which have thus far failed. In recognition of this fact, TRAFFIC believes it is critical to move beyond the narrow scope of orthodox conservation strategies and consider the full spectrum of available options to enhance rhino conservation throughout the world. It is hoped that the Animals Committee shares this view and the sense of urgency which rhino conservation must command at this time.


 Attachment 3
 2 pp.

SPECIES SURVIVAL COMMISSION

SUSTAINABLE USE OF WILDLIFE PROGRAMME (SUWP)
 1400 16TH Street, N.W.
 Washington, DC 20036
 Tel: (202) 939-3416
 Fax: (202) 797-5461

September 1992

CIRCULAR LETTER 92/03

Dear Colleagues,

With each Circular Letter I am more enthusiastic about the role sustainable use can serve in conserving wild species and contributing to rural development -- to a large part because of your comments and the ideas and experiences you have shared with us. They are greatly appreciated. And, they have had considerable influence in the development of the Programme, and the policy for sustainable use of wild species. Thank you very much. Please continue.

Issues: The black rhino is in immediate peril of becoming extinct in Zimbabwe. According to a report being prepared by Tom Milliken, Director of TRAFFIC's Eastern/Southern Africa Office, as few as 500 black rhinos could remain in the country. Possibly as few as 2,400 animals remain on the continent today. At the present poaching rate, Zimbabwe's Department of National Parks and Wild Life Management (DNPWLM) estimate that the black rhino will be effectively extinct in protected areas within eighteen months -- if action is not taken immediately.

The black rhino has been listed on CITES Appendix I since 1977. Under the Treaty it is fully protected from international trade. And yet, the TRAFFIC paper confirms that poaching is now being driven by speculation that the species will soon be extinct, and hence the horn will be of greater value. It is clear that legal protection has not been adequate to save the species.

Acting decisively, the Zimbabwe government has begun to dehorn black rhinos. But, the horn grows back, and the dehorning process will have to be repeated every two to three years. The cost is between US\$ 1,000 and 2,000 for each animal. How will this cost be covered? The Department's annual budget is US\$ 400,000, and a minimum of US\$ 500,000 is needed!

A number of suggestions have been made, including: 1) ranching rhinos to harvest the horn, 2) marketing a limited number of darting safaris, 3) sport hunting of selected post-reproductive males, and 4) sale of the harvested and stockpiled horn. Each option has the potential of bringing in significant revenues. However, assuming the sport hunters (on either darting or shooting safaris) would want the horn as a trophy, they may not be able to take their trophy home due to national laws. And, sale of the horn would be in violation of CITES regulations. While IUCN cannot condone violations of CITES, it is clear that the fate of rhinos is being determined by economic forces, not legal protection.

Should the horn be sold to cover the cost of dehorning? Would sale of the horn directly to Asian medicine companies, at prices below what poachers are receiving (US\$ 125 per kilogram), generate sufficient income to cover the continuing cost of dehorning? Would such sales eliminate the illegal trade? And, how would the legal sale affect poaching in other countries and for other species?

Obviously, this is a complex issue. Solutions are controversial. And, success will depend on all segments of the conservation community acting decisively together -- or we can say goodbye to this species. What do you think? I would appreciate receiving your thoughts.

Policy: By now you should have received the 2nd draft of the IUCN policy statement for the sustainable use of wild species, co-written with the Robert and Christine Prescottt-Allen (co-chairs of the Specialist Group on the Sustainable Use of Wild Species). The 2nd draft incorporates many peoples' views that the policy should be less technical and emphasize the social and economic factors

affecting uses of wild species. Dr. Martin Holdgate, IUCN's Director General, has sent this draft to all IUCN members requesting their comments. A third draft of the policy will be reviewed at the next SSC Steering Committee meeting in November. So, please send your comments to Christine and Robert Prescott-Allen or to our attention by 15 September.

Demonstration projects update: The demonstration projects we have helped develop in cooperation with communities, government agencies, and local NGOs are providing an excellent opportunity to learn more about the factors affecting sustainable use of wild species. In each project, the goal is to provide a framework for rural communities to manage wild resources sustainably -- for their benefit. Communities are participating in the project development process. Government agencies and NGOs are gaining insights into how best to provide communities with needed technical assistance (e.g., biological, organizational, economic). And, government wildlife policies are being reviewed.

To enhance direct communications between people involved in sustainable use of wild species, we have developed an agreement with the CAMPFIRE Association of Zimbabwe to provide consultants to go to other countries to meet with community leaders, government officials and NGO representatives and brief them on how community-based management of wild species is being developed in Zimbabwe. The agreement also provides for the CAMPFIRE Association to host delegations from other countries where they are developing national programmes for sustainable use of wild species. As a pilot, assuming funding will be available, three consultants from the CAMPFIRE Association will visit Pakistan in early 1993, after which the Campfire Association will host a similar delegation from Pakistan to visit Zimbabwe. If successful, similar exchanges will be organized in the future.

Advisory and Technical services: In July, in collaboration with TRAFFIC International, the SUWP began a programme to assist Senegal's CITES Management Authority reorganize management of the wild bird trade. Catherine Allen (SUWP) and Steve Broad (TRAFFIC) visited Senegal and held extensive meetings with a variety of government officials, traders, and the donor community. A proposal was developed to hold a workshop involving government personnel, bird exporters and trappers, and specialists to develop a management plan which will ensure that harvests of wild birds are sustainable and pre-export mortality is reduced.

At the request of the Indonesian government (PHPA), the SUWP will assist the government to develop a management framework for their wild species trade. Later this year a background brief will be prepared in collaboration with PHPA in preparation for a workshop that will be scheduled early next year.

Communications "news": In the past three months, Jon Hutton (Zimbabwe) has been assessing the need for an Institute for Sustainable Use of Wildlife, under a contract from the Zimbabwe Trust. Besides his considerable experience with crocodile and ostrich management, Jon has met with specialists in the UK, US, and Zimbabwe. His assessment will be especially useful in helping various initiatives -- including SUWP -- delineate their activities to better serve the community. We would appreciate receiving your ideas about what an Institute should do, and how the SUWP can best contribute to the concept.

The Wildlife Society (USA) is hosting an International Wildlife Management Congress in San Jose, Costa Rica 19-25 September 1993. The theme is: "Integrating People and Wildlife for a Sustainable Future". Scientific/technical methods, as well as, social-political-economic issues will be discussed in detail. The emphasis of the Congress will be on providing practical applications. For more information contact The Wildlife Society 5410 Grosvenor Lane Bethesda, MD 20814 USA Fax: (301) 530-2471.

Sincerely,


Steve Edwards, Programme Director

Attachment 4

1 p.

Doc. SC. 25.15

Trade in Rhino Horn ||

The Standing Committee ||

acknowledging the critical problem of African and Asian rhinoceros conservation despite CITES Appendix I listing for almost 20 years, and calls for actions with various resolutions of CITES on the need for new measures to be explored that will reverse the downward trend in population number for those species.

resolved to:

- (i) make trade related aspects of rhinoceros a project of special interest for the Standing Committee leading up to COP9;
- (ii) call upon all Parties to the Convention, as well as non-Parties, that are able to influence and constrain the current illegal trade in rhinoceros horn, to do so urgently and propose innovative ideas on the matter to the Standing Committee; and
- (iii) give support and encouragement to all agencies and countries working towards rhinoceros conservation in any way compatible with the requirements, policies and resolutions of the Convention;

and directed the Secretariat to:

- (i) identify in association with range States, Traffic, and consuming countries, and seek funding for, and execute a special project to gather information urgently and comprehensively on the levels of stockpiles, current usage and demand and current illegal supply of rhinoceros horn from African and Asian sources in countries of use;
- (ii) make contact with CITES authorities in market countries, especially China, and with appropriate officials in non-Party states such as South Korea to urge prompt and strong action to control illegal trade, mount media campaigns to education users as to the plight of the rhinoceros species and look for appropriate substitutes for rhino horn in medicines and other uses; and
- (iii) identify and pursue any means consistent with the Convention, whereby the Secretariat and/or Parties can give urgent, practical support to the efforts of rhinoceros range to protect rhinoceros, including initiatives to reduce poacher interest in these animals through dehorning or to remove individual animals to safe habitat.
- (iv) make submissions as appropriate to achieve a reopening of the Traffic office in Taipei.

and to report back to the Standing Committee regularly as the progress is made.

The Standing Committee regards the existence of substantial illegal stockpiles of rhino horn in some countries, including Parties to the Convention, as totally unacceptable to and incompatible with implementation of the Convention; and accordingly calls for direct action to acquire and destroy rhino horn on the part of government



Attachment 5
5 pp.

SAFARI CLUB INTERNATIONAL

4800 W. Gates Pass Road, Tucson, Arizona 85745

602 620 1220

NEWS RELEASE

SPORTSMEN ACT TO SAVE RHINOS

Contact: Richard Parsons, Washington, DC
(703) 709-2293

Safari Club International, an international group of sportsmen and conservationists, has proposed a new law to save the rhinoceros from extinction. Dr. Douglas Yajko, President of SCI, said that the law was drafted by SCI's Governmental Affairs Committee and submitted recently to several Congressmen for consideration. The SCI proposal is modeled after the African Elephant Conservation Act, which was passed in 1989.

The proposed law would provide financial and technical assistance to any country, organization or individual that could come up with effective projects to conserve the rhinoceros.

The plight of the rhino became a major conservation issue when the CITES meeting in Kyoto in 1992 failed to agree on effective measures to stop the downward slide of several species of the large animal. The CITES parties rejected a proposal by several southern African nations to legalize limited trade in rhino horn as a method of raising funds to protect the remaining rhinos. The CITES parties chose instead to renew their calls for an end to the illegal trading of rhino horn, primarily for the Oriental medicine market.

The proposal specifically recognizes the value of the contribution of the sportsman. It says, "human interaction with rhinoceros populations for a variety of purposes, including the darting and dehorning of individuals [rhinos] to eliminate poaching and sport hunting of a limited number of animals is likely to have a beneficial effect on the conservation of various species [of rhinos]." Dr. Yajko said, "it should be remembered that one of the few places where rhino populations are secure is in South Africa, where the southern white rhino is managed and protected on game ranches. The money to support this system comes from the sportsmen, who are allowed to take a very limited number of animals each year."

Draft Rhino Conservation Act of 1993

Section 1. SHORT TITLE.

This Act may be cited as the "Rhino Conservation Act of 1993."

Section 2. STATEMENT OF PURPOSE

The purpose of this Act is to provide a framework and direction for programmatic and funding assistance to range nations in the conservation of the various species of rhinoceros.

Section 3. FINDINGS.

The Congress finds the following:

- (1) Despite great effort, substantial expenditure, and tragic loss of human life, the populations of all species of rhinoceros are rapidly declining and all of these species face immediate extinction unless effective action is taken;
- (2) The plight of the rhinoceros symbolizes the problems with ineffective action to preserve viable populations of species impacted by human activities;
- (3) The development of effective strategies to preserve the rhinoceros is a value to the citizens of the United States of America;
- (4) The United States cannot, by its efforts alone, preserve the rhinoceros, but it can offer effective assistance and funding to the governments and peoples of the range nations where the rhinoceros occurs and the governments and peoples of the nations whose activities and markets impact the rhinoceros populations;
- (5) Previous efforts to conserve the rhinoceros have had limited effect and their continuation will not, alone, prevent the extinction of the various species of rhinoceros; New and innovative efforts are required in order to save the species of rhinoceros from extinction;
- (5) Human interaction with rhinoceros populations for a variety of purposes, including the darting and dehorning of individuals to eliminate poaching and sport hunting of a limited number of animals is likely to have a beneficial effect on the conservation of the various species.

Section 4. STATEMENT OF POLICY.

It is the policy of the United States -

(1) to assist in the conservation and protection of the various species of rhinoceros by supporting the conservation programs of (A) the range nations in which rhinoceros occur, (B) nations whose activities affect rhinoceros populations, (C) the CITES Secretariat, and (D) any other intergovernmental organization that can assist in the conservation of rhinoceros; and

(2) to provide financial resources for such programs:

(3) to encourage, facilitate and fund private sector rhinoceros conservation activity by individuals, businesses and non-governmental organizations;

(4) to encourage the exploration and use of all strategies which may accomplish effective conservation of the rhinoceros species

Section 5. DEFINITIONS.

(a) The term "conservation" shall mean the use of all methods and procedures which are necessary to bring the rhinoceros to the point at which their are sufficient stable and numerous populations to insure that the various species of rhinoceros will not become extinct; such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, transportation, the taking of parts from live animals, and regulated taking.

(b) the term "Fund" shall mean the Rhinoceros Conservation Fund established by section 7(a) of this Act;

(c) The term "range nation" means any country in which any species of rhinoceros occurs naturally in the wild.

(d) The term "Secretary" shall mean the Secretary of the Interior.

Section 6. RHINOCEROS CONSERVATION ASSISTANCE.

(a) GENERAL.- The Secretary shall use all of his authorities, in coordination with the Secretary of State, to achieve practical and positive conservation benefits for all species of rhinoceros.

(b) PROJECT PROPOSAL.- Any government agency of a range country, the CITES Secretariat, any other intergovernmental organization, or any individual, business or organization may submit to the Secretary a project proposal under this section. Each proposal shall contain -

(1) the name of the person responsible for conducting

the project;

(2) a succinct statement of the purposes of the project;

(3) a description of the qualifications of the individuals who will be conducting the project;

(4) an estimate of the funds and time required to complete the project;

(5) evidence of support of the project by appropriate governmental entities within the range nation(s) or other relevant nation(s) in which the project will be conducted, if such support is required for the success of the project;

(6) any other information the Secretary considers to be necessary or appropriate for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.- The Secretary shall review each project proposal to determine if it meets the criteria set forth in subsection (d) and otherwise merits assistance under this Act. Not later than 6 months after receiving a project proposal, and subject to the availability of funds, the Secretary shall approve or disapprove the proposal and provide written notification to the person who submitted the proposal and to each nation within which the project is to be conducted.

(d) CRITERIA FOR APPROVAL.- The Secretary may approve a project under this section if the project will enhance programs or activities for the conservation of rhinoceros.

(e) PROJECT REPORTING.- Each entity that receives assistance under this section shall provide such periodic reports to the Secretary as the Secretary considers relevant and appropriate. Each report shall include all information requested by the Secretary for evaluating the progress and success of the project.

Section 7. RHINOCEROS CONSERVATION FUND.

(a) ESTABLISHMENT.- There is established in the general fund of the Treasury a separate account to be known as the "Rhinoceros Conservation Fund," which shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE FUND.- The Secretary of the Treasury shall deposit into the Fund -

(1) all amounts received by the Secretary of the Interior in the form of donations under subsection (d);

(2) all amounts credited to the Fund pursuant to subsection (e); and

(3) other amounts appropriated to the Fund to carry out this Act.

(c) USE.-

(1) IN GENERAL.- Subject to paragraph (2), amounts in the Fund may be used without further appropriation, to provide assistance under this Act.

(2) ADMINISTRATION.- Not more than 3 percent of amounts appropriated to the Fund for a fiscal year or otherwise available in the Fund may be used by the Secretary to administer the Fund.

(d) ACCEPTANCE AND USE OF DONATIONS.- The Secretary may accept and use donations of funds to provide assistance under this Act. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

(e) CREDITS TO THE FUND.- All agencies of the United States are authorized to forgive all or any portion of a debt to the United States owed by a range nation or other nation the activities of which may affect rhinoceros populations, and to advise the Secretary of the Treasury that such amount is to be credited to the Fund.

Section 8. PERMISSION TO IMPORT OR EXPORT LIVE RHINOCEROS OR RHINOCEROS PARTS AND PRODUCTS.

(a) IN RELATION TO APPROVED PROJECTS.- The Secretary is authorized to issue permits for the importation of live rhinoceros or rhinoceros parts and products in connection with any approved project.

(b) OTHERWISE.- The Secretary is authorized to approve, by regulation or permit, the importation or exportation of live rhinoceros or rhinoceros parts and products if he deems such importation or exportation to be a program or activity that will benefit the conservation of rhinoceros.

(c) RELATION TO OTHER FEDERAL OR STATE LAWS.- A permit or regulation issued under this section shall be superior to any contradictory provision of any federal or state law, regulation or permit.

Section 9. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated to the Fund a total of not to exceed \$10,000,000 for each of the fiscal years 1994, 1995, 1996, 1997 and 1998 to carry out this Act, to remain available until expended. Amounts not expended in one fiscal year may carry over and be utilized in subsequent fiscal years.

DEPARTMENT OF NATIONAL PARKS AND WILD LIFE MANAGEMENT
P.O. Box 8365, CAUSEWAY, Harare, Zimbabwe

THE CHIEF, OFFICE OF SCIENTIFIC AUTHORITY
Arlington Square, Room 725,
United States Fish and Wildlife Service,
WASHINGTON D.C. 20240, USA

28th October 1993

Dear Sir,

DRAFT RHINOCEROS CONSERVATION ACT of 1993

The CITES Management and Scientific Authority for Zimbabwe presents its compliments to its counterpart Authorities in the Government of the United States of America and commends the current efforts of the United States Government to prepare a Rhinoceros Conservation Act through the Environmental and Natural Resources Subcommittee of the House Merchant Marine and Fisheries Committee chaired by House of Representatives member Gerry Studds with Jack Fields as counterpart ranking member. Zimbabwe applauds the intention within the draft Act for the commitment by Congress of US\$5 million for rhino conservation for each of the years from 1994-1998.

The Department of National Parks and Wild Life Management in Zimbabwe has been given a copy of the draft Act currently under consideration by the Congressional Sub-Committee although it has not, at this stage, been invited to provide comments on the draft. We understand, however, that a representative from U.S. Department of the Interior will testify at the first public information hearing on the subject on 3rd November 1993 and seek, through your good offices, to convey our initial impressions on the draft Act. We hope, that this note, submitted in advance of an anticipated request to comment on the Act, will be accepted in the spirit of avoiding possible misunderstandings at a later time when further work has been done towards a final Act.

Zimbabwe's position on "... practical and positive conservation benefits ..." (*Paragraph 5(a) of the draft Act*) remains as stated at the last Conference of the Parties to CITES in Kyoto, Japan, 1992, and as repeated by our Minister of the Environment and Tourism at the meeting on rhinoceros conservation convened at UNEP, Nairobi, in June, 1993. Zimbabwe feels strongly that the time has come when its rhinoceros populations (such as remain) will only be successfully conserved through the inception of a legal trade in rhinoceros products.

This is stated in full awareness of the various items detailed in *Section 4 of the draft Act*:

- i) the listing of rhinoceros species on the Endangered Species Act of 1973 of the United States;
- ii) the various CITES resolutions calling for stronger measures to halt the trade in rhinoceros products and to destroy stocks of rhino horn;
- iii) the certification on 7th September 1993 by the Secretary of the Interior that the Peoples' Republic of China and Taiwan continue to be engaged in trade of rhinoceros horn; and
- iv) the resolution of the Standing Committee of CITES urging Parties to implement stricter domestic measures "... up to and including an immediate prohibition of trade in wildlife species." (*Paragraph 4(6)*).

None of these measures have we supported and, apart from the CITES Resolutions referred to in paragraph ii) above, we have not been consulted.

Our position stems from a fundamental difference in approach to conservation to that espoused in the draft Act. We seek self-sufficiency in our conservation through sustainable use of wildlife species and do not support the concept enshrined in both your Endangered Species Act and the CITES Treaty that a moratorium in trade is desirable, practical or appropriate — in a case where the trade would be beneficial to the species.

The provisions for sanctions against nations engaging in trade (*SECTION 7*) strike us as particularly severe. Implicit in these measures is the assumption that only one conservation approach is correct: the possibility of alternative conservation philosophies, which are likely to be more successful in the long term, is not admitted.

We appreciate that the proposed Act is motivated by concern for the survival of rhinoceros species. As a nation which once held the largest rhinoceros population in Africa, we have an equal, if not greater, concern that appropriate measures are taken to secure the future of the rhinoceros. We assume that the proposed Act is primarily intended to benefit range states and that Namibia, South Africa and Zimbabwe would rank highly amongst its potential beneficiaries. All of these southern African countries have expressed their belief that the time has come for the inception of a legal trade in rhinoceros products.

We would be very grateful for a record of the hearing to be held on 3rd November and any other relevant material subsequent to the meeting. The Zimbabwe Government seeks dialogue rather than confrontation on this subject and would not like to find itself in a situation where, for matters of principle, it were unable to make use of the potential benefits offered by the United States Rhino Conservation Act.

Yours faithfully,



W.K. Nduku

CITES Scientific and Management Authority for Zimbabwe

NOT FOR PUBLICATION UNTIL RELEASED
BY THE COMMITTEE ON MERCHANT MARINE AND
FISHERIES
UNITED STATES HOUSE OF REPRESENTATIVES

STATEMENT OF
SHERRI WASSERMAN GOODMAN
DEPUTY UNDER SECRETARY OF DEFENSE
(ENVIRONMENTAL SECURITY)
BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON THE ENVIRONMENT AND NATURAL RESOURCES
NOVEMBER 3, 1993

Mr. Chairman:

Thank you for the opportunity to testify today on amendments to the Sikes Act, H.R. 3300.

The Department of Defense is steward for 25 million acres of public land, an area about as large as the state of Tennessee. DoD lands represent all of our country's major land types and contain sensitive ecosystems and endangered species, irreplaceable historic and archeological sites, and many other important natural and cultural resources. We face a challenging task protecting and enhancing the quality of these resources while training on military lands to defend the vital interests of the United States. Protection and enhancement of these resources ensures the continued availability of lands and waters to support training that is critical to mission performance.

For more than 30 years, the Sikes Act has proven instrumental in helping the Department manage its unique natural resources. The approximately 250 cooperative fish and wildlife management plans our military installations have developed under the Sikes Act in coordination with the U.S. Fish and Wildlife Service and state fish and game agencies have been the cornerstone for many of our natural resources management initiatives.

The current evolution to ecosystem management signals a new chapter in our understanding of the interrelationships between different ecosystem elements. No longer can we prepare separate management plans for individual elements, bind them in a single document, and presume we are practicing integrated natural resource management. It is important that we continue to move towards truly integrated natural resources management. With several important exceptions, we support the legislation.

We strongly support requiring integrated natural resource management plans for all appropriate military installations. We believe this is the most effective means of ensuring that resource management decisions on DoD lands are made by commanders based on informed consideration of all relevant factors.

Other Sikes Act amendments would provide for:

- public participation in the preparation of each integrated management plan.
- establishment of specific natural resource management goals and objectives.
- internal review of installation compliance and reporting of these results to Congress.
- deadlines for adopting integrated management plans.

- trained DoD personnel to enforce existing fish and wildlife laws on military installations.

We believe these amendments are complementary to the provision to develop integrated plans, and that they would help ensure that high quality plans are prepared and implemented.

We agree with establishing a framework which will accurately identify any installations which are not complying with requirements to implement integrated natural resource management plans while at the same time not imposing undue burdens on our installations or natural resource managers. However, we disagree with using a system of Notices of Violation to ensure implementation. We believe the provisions of subsection 5(a) would be difficult to administer and could damage existing cooperative relationships with the U.S. Fish and Wildlife Service and State fish and game agencies.

The Department of Defense would like to propose an alternative approach to ensure that integrated natural resource management plans are developed and implemented on our military installations. First, we are committed to ensuring that natural resource laws are given the same kinds of programming and budgeting priority as other environmental laws. We will be creating a prioritization system for funding natural resource projects. Nonrecurring projects and services required to get into compliance with natural resources regulatory requirements in the current budget fiscal year will be considered "must fund" items. Examples of these "must fund" items will include:

- preparation of integrated natural resource management plans.
- commitments made under special agreements such as the Chesapeake Bay Agreement.
- surveys of wetlands or endangered species, where their occurrence is probable, and current or proposed land use could violate regulatory requirements.
- natural resource damage assessments prepared in response to immediate legal requirements.

Second, we are committed to establishing internal audit procedures to ensure that integrated natural resource management plans are developed and implemented. One of my goals is to establish measures of merit for all elements of DoD's Environmental Security program, including Conservation. We would like to work with your staff to develop measures that effectively summarize the progress of our installations in achieving fully integrated plans. We believe that ultimate responsibility for management of the sensitive natural resources on DoD lands lies with the military managers who use those resources. It is the Department's position that, given our managers' demonstrated

leadership in natural resource conservation and our expertise in military operations, we are in the best position to balance the needs of mission accomplishment with natural resource stewardship.

An issue of great concern to the Department of Defense is our continuing ability to use our lands to support the military mission. We understand that even with the best planning, full compliance with environmental laws will sometimes restrict our ability to train. However, we disagree with imposing unnecessary restrictions on our lands such as can be found in subsection 3(c)(2)(C). We strongly recommend deleting the limiting phrase "unless such loss is required to comply with environmental laws or to improve the management of natural and cultural resources," in order to keep the proper balance between resource management and the military mission on DoD lands.

Military training requires the use of relatively large areas of land. In most cases, this use does not result in significant damage to the land. In fact, most military lands are regionally recognized for their relatively high habitat quality for both common and rare plant and animal species. They are often sanctuaries for unique natural resources because there is no development or other activity which can degrade natural habitats. Where military activities do cause damage, we are undertaking measures to integrate our training needs with the development of innovative technological solutions to sustain intensively used land resources.

We in the Department of Defense are building a new Conservation strategy, as part of a larger environmental strategy, to conserve our natural resources so they will be available for present and future generations. As part of this Conservation strategy, we are committed to:

- Comply with all applicable laws and standards for natural resources.
- Identify all significant natural resources.
- Manage natural resources in consonance with the military mission.
- Plan, program, and budget to comply with all applicable laws and regulations.
- Provide training, education, and staffing to build a strong Conservation ethic.
- Involve the public in all Conservation programs.

In closing, I would like to emphasize that the current DoD leadership strongly believes that national security includes environmental security. We are committed to fully integrating

environmental security concerns into our defense policies, and responsible environmental performance into our defense operations. The Department will not be content to merely be a good steward of its lands. We will work to be a leader in protecting and enhancing the natural environment for future generations, not solely for the intrinsic value of these resources, but also to secure the future availability of these resources to support the national defense mission.

We look forward to continuing to work with the Committee on this important legislation.

INSERT FOR THE RECORD						
HOUSE SENATE	APPROPRIATIONS COMMITTEE	HOUSE SENATE	ARMED SERVICES COMMITTEE	X	HOUSE SENATE	OTHER
HEARING DATE	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.			<i>Wildlife Federation</i>
3 November 1993						<i>Q1</i>

Sikes Act

Chairman Studds: Mr. Stout, of the National Wildlife Federation, recommends that we amend the bill to overturn the DoD policy which restricts the use of funds raised from hunting and fishing licenses from being spent on items costing more than \$15,000. He explains that this policy prevents wildlife managers from buying necessary equipment. Do you agree with the recommendation, and if so, is that a policy that could be changed administratively?

Ms. Goodman: We understand that the \$15,000 limit on the purchase of equipment is an Operations and Maintenance (O&M) Procurement limit. It is not specific to natural resources purchases or the Sikes Act. We support efforts to raise the limit on the purchase of equipment for the natural resources program to \$25,000 to reflect price increases caused by inflation since this limit was established. DoD's Procurement office would have to implement the necessary change. We are uncertain if the current limit is required by legislation.

INSERT FOR THE RECORD						
HOUSE SENATE	APPROPRIATIONS COMMITTEE	HOUSE SENATE	ARMED SERVICES COMMITTEE	X	HOUSE SENATE	OTHER <i>Mu Marine & Fisheries</i>
HEARING DATE 3 November 1993	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.		<i>Q2</i>	

Sikes Act

Chairman Studds: Mr. Wray, of the National Military Fish and Wildlife Foundation, recommends that the bill be amended to allow military bases to keep the funds they raise from fishing and hunting fees -- rather than turning them in to the Federal treasury. Do you agree?

Ms. Goodman: Again, this is not a Sikes Act-specific issue. The process you describe is a Financing and Accounting procedure used by both the Navy and the Air Force to ensure accountability of funds. In each case, funds go to a central account before they are allocated to installations for specific projects. Funds are not returned to the general Treasury fund. Because the current process enables the Navy and the Air Force to distribute funds where they are most urgently needed for natural resources projects, it allows some funds to be given to "have not" installations. We believe this reasoned evaluation of all natural resource requirements is preferable to an automatic system of returning all fees to the installations which generated them. We recommend that current procedures be retained.

**TESTIMONY BEFORE THE HOUSE
SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES
REGARDING H.R. 3300 THE "NATURAL RESOURCE MANAGEMENT ON
MILITARY LANDS ACT OF 1993"**

**by R. Max Peterson, Executive Vice President
International Association of Fish and Wildlife Agencies
November 3, 1993**

Mr. Chairman and members of the subcommittee, I am R. Max Peterson, Executive Vice President of the International Association of Fish and Wildlife Agencies. The International Association of Fish and Wildlife Agencies, founded in 1902, is a quasi-governmental organization of public agencies charged with the protection and management of North America's fish and wildlife resources. The Association's governmental members include the fish and wildlife agencies of the states, provinces, and federal governments of the U.S., Canada, and Mexico. All 50 states are members. The Association has been a key organization in promoting sound resource management and strengthening federal, state, and private cooperation in protecting and managing fish and wildlife and their habitats in the public interest. The Association appreciates the opportunity to share our perspectives with you on H.R. 3300.

Amendments to the Sikes Act to provide for enhanced management of fish, wildlife and recreational resources on military installation lands is an area of great importance to state fish and wildlife management agencies. States, as you are aware, have primary management responsibility and authority for fish and wildlife resources found within state boundaries.

This amendment is very helpful to improving management of natural resources on military installations. We commend Chairman Studds and Congressman Young for sponsoring this legislation. We are particularly pleased to see the reaffirmation of the involvement of the state fish and wildlife agencies throughout the process of natural resources management on military installations. We can assure you of the continued commitment of the state fish and wildlife agencies to cooperating with DoD natural resource managers to advance fish and wildlife and habitat conservation objectives on military installations. Military installations are important contributors to fish and wildlife and other natural resource objectives of this nation and, in most cases, can and should be managed to meet both military and conservation objectives.

These amendments provide direction for substantial improvement in the management of fish, wildlife and other resources on military installations. While the opportunity for management of these resources has always been there, this act mandates that they be managed for the benefit of the public, the natural resources of the installation and in cooperation with those responsible for management of the surrounding land areas. As H.R. 3300 recognizes, military installations can and should contribute to meeting important objectives for wetlands protection and restoration on Federal lands.

We are particularly pleased to note the bill assures continued and active participation and cooperation with state fish and wildlife management agencies. This is true for all phases of fish and wildlife management on military installations from planning to implementation through monitoring and oversight of the plans.

H.R. 3300 seeks to assure that planning and implementation of natural resource management practices become an integral part of military installation planning and operations. This is essential if sound natural resource management is to occur on military installations. It is enlightening to see that planning for military activities and resource management are spoken in the same breath for it indicates just how far the integration of resource management and military planning have come from years past.

Military installations often constitute some of the larger land masses where professionally applied resource management practices can produce significant results that may have profound effects on surrounding lands where resource management practices and opportunities may be limited. Involving the state fish and wildlife agencies in the planning for these management activities may lead to significant improvements in the fish, wildlife and recreational opportunities in the area where military installations are located.

The amendment requiring use of fishing and hunting fees for resource activities on installation lands will certainly increase the stability of funding for resource management. As you are aware, often in the past, funding of resource management activities was sporadic, at best. Allowing for the collection and expenditure of fees collected for fishing and hunting to be used for the protection, conservation, and management of fish and wildlife, including habitat improvement and related activities, ensures the efficient and practical use of the fees as intended by the Sikes Act. We suggest that a program with a comprehensive habitat-based prevention focus, as envisioned by H.R. 3300, is both more preferable to and efficient than remedial action after degradation to habitat and fish and wildlife resources has already occurred.

I would urge that the committee stress the need for the military to allocate adequate funds for natural resource management activities on military installations. Sound practices can have far reaching effects both on the installations and on the lands surrounding those installations. This affects not only the military personnel using these installations but members of the public that live, work and recreate on the military installation lands and the lands bordering those areas. Expenditure of military base funds for resource management activities is a good investment of public monies.

I would also urge that the plans being called for in this amendment be tailored to the realities of each military installation. Some large installations may require quite comprehensive plans while others should only be required to develop a brief plan outlining specific problems and opportunities that are to be included in the plan. Also, we would suggest that planning is a means to an end, and not the end point of a planning exercise. To that end, we would encourage that resource managers continue to work closely with state fish and wildlife agencies, most of which have already developed state-wide habitat plans for fish and wildlife resources.

In that way, the limited funds available to installation resource managers can be used for on the ground resource and habitat conservation measures, and not in completing elaborate plans that sit on the shelf. It is important that the planning process take into account the variety of lands within and around a military reservation and be prepared in consultation and cooperation with adjacent landowners and managers.

Thank you for the opportunity to share our perspective with the subcommittee. I would be happy to answer any questions.



Working for the Nature of Tomorrow.

NATIONAL WILDLIFE FEDERATION

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TESTIMONY OF

GENE STOUT
CHAIR, BOARD OF DIRECTORS
NATIONAL WILDLIFE FEDERATION

ON

AMENDMENT OF THE SIKES ACT

BEFORE THE COMMITTEE ON MERCHANT MARINE AND FISHERIES
AND THE SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

November 3, 1993

Good morning, Mr. Chairman. I represent the National Wildlife Federation where I serve as Chair of the Board of Directors. I work as a Natural Resources Administrator for the Department of Army at Fort Sill, Oklahoma. However, in no way does my testimony here represent official Department of Defense positions.

I am grateful for this opportunity, and on behalf of the Federation's almost five million members and supporters, I urge you to support this major revision of the Sikes Act. The Federation recognizes and commends Representative Studds and Representative Young for their leadership and commitment in this effort.

The Department of Defense has a huge responsibility for the management of some of our nation's finest lands among its almost 25 million acres. These lands not only provide the training and testing grounds for those who must defend our way of life, but they include some of our best wildlife habitats with tremendous opportunities for protecting our biodiversity and providing excellent outdoor recreation.

The Sikes Act has grown along with the complexity of the mission of managing natural resources on military lands. This latest revision has many critical items needed to enable Defense to provide continued stewardship on its lands.

We endorse the expansion of the bill's original goals from wildlife management to all of natural resources conservation. This is consistent with the need to manage all aspects of the land in concert with each other.

The addition of improved wetlands language is indicative of Congress's commitment to these extremely productive ecosystems. The inclusion of the term "consideration of conservation needs for all biological communities" is sending a strong message to Defense policy makers that biodiversity protection is an essential mission.

The "no net loss" clause with regard to installation lands ability to support military missions is clear recognition that lands must be managed for long term sustained multiple use. Ensuring that Defense lands are managed in this manner should reduce DoD requests for additional lands.

Sustained use of natural resources by the public continues and enhances a military tradition of allowing its land resources to be used for recreation, nature study, agriculture, and renewable natural resources products. We strongly endorse this provision.

Perhaps the greatest overall improvement in this revision of the Sikes Act is the required implementation of these integrated natural resources plans. All too often, good planning efforts have sat on the shelf due to no requirement or funding for implementation. We would like to see the language strengthened to emphasize that implementation of natural resources plans is a "must fund" item for Defense.

We note that DoD is spending billions to clean up past environmental sins, but relatively little to manage resources to prevent the degradation of healthy ecosystems and wildlife populations. The implementation of integrated natural resources plans will have a significant payback in fewer endangered species, improved training lands, less erosion, cleaner waters, and improved opportunities for outdoor recreation. This bill is a terrific investment for the American people.

The National Wildlife Federation believes the enforcement provisions of this bill are well balanced. While we initially preferred enforcement language that included strong civil and criminal penalties, we now think that the new Defense administration should have an opportunity to demonstrate its commitment to conservation.

We support this bill's use of notices of violation with compliance agreements. We do this assuming that Defense clearly understands that implementing these portions of Integrated Natural Resources Management Plans which are required within this bill are "must fund" priorities.

We are very pleased that you have seen fit to include persons who are responsible for providing funds and personnel as potential violators of this Act along with those who manage the natural resources. This is sending a clear message to those who manage Defense's dollars and personnel resources that natural resources management is critical to accomplishment of the Defense mission.

Finally, we support your expansion of the definition of a military reservation to include virtually all lands that are used by the Department of Defense. This is a major step.

We have reviewed the few recommendations provided to you by the National Military Fish and Wildlife Association to improve this bill. We endorse them enthusiastically.

Almost all of this Association's over 600 members are professional natural resources managers at all levels within the Department of Defense. This bill is a clear mandate to these talented people. Their recommendations are based on intimate knowledge of Defense lands, natural resources, and the system under which Defense manages these lands.

Recommendations for improvements to the bill include the following:

1. Precluding recent accounting changes within some parts of the Department of Defense from restricting the use of funds derived from the sale of fishing and hunting permits, agricultural leases, and forest products from being spent on items costing over \$15,000. These restrictions have no basis in terms of law, and they change long standing policies of allowing these installation generated funds to be spent on items needed to manage these natural resources. This restriction prevents, for example, the spending of such funds on vehicles and heavy equipment needed for implementation of these integrated natural resources management plans.

2. Changing the language to ensure that proactive compliance with the Sikes Act is funded before violations occur. Section 106 (a)(6) clearly notes that Defense must fund remedial actions after violations occur. The National Wildlife Federation is in complete agreement with this statement. However, it can be construed that preparation and implementation of integrated natural resources management plans are not Class I projects until violations are reported, investigated, and remedial actions identified. This interpretation is consistent with the "funding only after violations" philosophy used by Defense to fund environmental projects. We recommend adding "As with all projects involving compliance with this Act," to the front of Section 106(a)(6). This will ensure that these natural resources plans are implemented to prevent noncompliance, not after enforcement actions are taken.

Through this Committee's efforts, our troops will be better trained to defend the American way of life; our nations's biodiversity will be enhanced; and our outdoor recreation traditions will continue on almost 25 million acres of Defense lands.

Thank you for this opportunity to present the National Wildlife Federation views on this important matter. I would be glad to answer any questions.

TESTIMONY OF
DR. THOMAS WRAY II, PRESIDENT
NATIONAL MILITARY FISH AND WILDLIFE ASSOCIATION

ON

AMENDMENTS OF THE SIKES ACT

BEFORE THE

COMMITTEE ON MERCHANT MARINE AND FISHERIES
AND THE
SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

NOVEMBER 3, 1993

Good morning Mr. Chairman. Today I sit before you representing the National Military Fish and Wildlife Association as their president. Although also employed by the Department of Navy as a Natural Resources Program Manager, my testimony today is strictly on behalf of the Association and does not reflect official Department of Defense positions on this bill or any other matter.

The Association is an organization, independent of DoD, that was founded on the principle of promoting sound natural resources management on DoD lands. Our 600 plus strong membership, comprised predominately of installation natural resources managers, offers an on the ground perspective on this bill. We appreciate the opportunity to participate in this reauthorization process, and are pleased our recommendations have been so well received. We are also happy to acknowledge the positive input DoD has provided on this bill.

What began as a step in the right direction back in 1960 is now poised to become a landmark piece of natural resources legislation. This bill represents the best thing that has happened to natural resources on DoD lands since the inception of this program over three decades ago. For too long, DoD has not truly functioned as a land management agency despite having jurisdiction on over 25 million acres. Yes, this acreage has been assembled over the years for the primary goal of conducting the military mission, but maintaining the integrity of these lands is critical to the accomplishment of that goal. Quality training lands equates to quality training. And proper natural resources management supports those training goals. Unfortunately, this concept has only become fully appreciated in recent years.

This bill signals a change in the way DoD views its natural resources program. Now we will be preparing integrated natural resources management plans instead of just cooperative fish and wildlife plans. This reflects a change that is sweeping through

all levels of the natural resources profession; an integrated approach to managing natural resources.

This bill's 'Contents of Plans' section exemplifies an integrated natural resources management plan. It supports the concept of biodiversity by ensuring that the conservation needs of all biological communities are considered. And it requires that the activities carried out to manage and protect these biological communities are consistent and integrated with one another. It identifies the significance of wetlands to the 'web of life' with a call for their protection and restoration, as well as a need to increase their acreage through construction. It, most importantly, stipulates that clear objectives and goals are established, and that time-frames in which to accomplish them are set.

Three other provisions relating to the plan warrant mentioning. The insurance of no net loss of training lands unless the loss is required to comply with environmental laws or improvement of natural and cultural resources management is truly significant. For the first time, national defense and natural resources protection are spoken in the same breath. This clearly signals an important shift in thinking at higher levels. Secondly, we strongly support giving the public the opportunity to comment on the plans. We are, after all, stewards of the public trust. Finally, providing for the professional enforcement of natural resources laws and regulations completes the process of ensuring the conservation of natural resources on DoD lands.

Simply replacing the words "is authorized to" with "shall" sets a new course for natural resources management within DoD. And the natural resources plan implementation language is now set in stone with compliance provisions. These improvements can only be measured in light years. While simple in concept, they demonstrate that finally the natural resources program is more than just nice to have. This program is essential to the military mission! While the Association had pushed for stronger measures to ensure compliance, we are comfortable with the system of Notices of Violation. And we are pleased to see that the bill reaches out beyond the installation level to where decisions on manpower and funding are often made. Ensuring compliance at this level is the key.

The effective enforcement of federal conservation laws on DoD lands has historically been a problem. While some quality programs do exist, they are the exception rather than the rule. This critically important program has just not received the attention it warrants. The Association has been battling for the past six years to get this issue off dead center with little success. Now this bill paves the way for the development of a bona fide program within DoD. This bill's single provision that allows the Secretary of Defense to directly enforce federal laws pertaining to fish and wildlife conservation on DoD lands is a critical one. The

Association is elated about this, and has offered its time and expertise to assist DoD with the development of this program.

The restoration of DoD lands due to past land abuses is receiving much attention these days as evidenced by the funding and staffing levels for environmental programs. The importance of proactive management of these same lands, however, has seemingly been lost in the mad rush to right what has been wronged. For too long, natural resources management programs have taken a back seat to the more compliance driven environmental programs. This bill marks a change in that line of thinking. This bill ensures that natural resources on DoD lands will prosper, and continue to be available to support the military training mission.

Staffing has always been an issue of hot debate for DoD natural resources program managers. As our program requirements increase, our Department is in the process of downsizing. While the justification for streamlining is appreciated, careful consideration must be given to this process. This bill specifically addresses the need for sufficient staffing levels, and this will compel DoD to rethink their priorities. Professional natural resources and conservation law enforcement personnel are vital to the well being of a Command and the mission upon which that Command is based.

Funding, and the ability to spend those funds, is another issue that typically raises the blood pressure. DoD natural resources program managers have been successful in the past by accomplishing much with little. The reimbursable programs associated with hunting and fishing user fees, forest products, and agricultural outleasing, and more recently the Congressionally-appropriated Legacy Resource Management Program, have been critical to our success. But DoD needs to go beyond their reliance on these 'soft' programs; we need line item budgets to keep pace with our expanding responsibilities.

The provision to permit total administration of fishing and hunting user fees at the installation level is a significant one. While the intent of the Sikes Act regarding user fees has always been clear, the funding process created to manage this program has become unnecessarily complex and burdensome. Often times, installations cannot even get the authority to spend all the money they collect in a given year. Administration of these funds at the installation will ensure an efficient and practical fees and permit program as intended by the Sikes Act.

Recent changes in internal DoD accounting procedures have placed spending caps on equipment purchased with our reimbursable dollars. We must now compete with all others for precious procurement dollars, and it should not surprise anyone that natural resources equipment needs are not terribly competitive within this process. If we are to successfully implement our plans, we must be able to

spend our monies in an intelligent and effective manner. We strongly recommend language be added to the effect that the use of fees collected under this program shall not be limited by a cost ceiling on individual items. We are uncertain on how to address this need for forestry and agricultural outleasing reimbursable dollars.

We applaud your efforts to classify all remedial actions as Class 1 (must fund) projects. However, in order to be proactive, we must carry this one step further; it must be stated that compliance with all aspects of the Sikes Act is a Class 1 action. If not, this Act or portions of it may be construed as optional.

Finally, I wish to say a few words about recent changes in the Economy Act. It has always been the intent of the Sikes Act to promote partnerships between DoD and Federal and State, and private conservation groups. Moreover, these partnerships have been successful due to a simplified and unencumbered process for developing them, namely cooperative agreements. Recent changes in the Economy Act, however, seemingly nullify these previously arranged procedures, and now directly conflict with the stated purposes of the Sikes Act. The provision provided in Section 9(b) will ensure that our ability to partnership with other organizations to get the job done will continue.

In summary, the Association is extremely pleased with the contents of this bill. Yet, we respectfully request your careful consideration of the two recommendations we have offered: identifying all provisions of the Sikes Act as Class 1 actions, and lifting spending limitations on Sikes Act user fees.

You have skillfully crafted this bill to ensure that natural resources on DoD lands will be held in high regard. We congratulate you. We look forward to its final passage and the subsequent implementation of its provisions. This is truly an exciting time to be a DoD natural resources manager.

Thank you for the opportunity to express the Association's views. I will be happy to answer any questions.

103^D CONGRESS
1ST SESSION

H. R. 3300

To amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs on military installations.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 1993

Mr. STUDDS (for himself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs on military installations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Natural Resource
5 Management on Military Lands Act of 1993".

6 **SEC. 2. AMENDMENT OF SIKES ACT.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
2 sion, the reference shall be considered to be made to a
3 section or other provision of title I of the Act of September
4 15, 1960 (16 U.S.C. 670a et seq.), commonly referred to,
5 and hereinafter in this Act referred to, as the "Sikes Act".

6 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**
7 **PLANS FOR MILITARY INSTALLATIONS, GEN-**
8 **ERALLY.**

9 (a) IN GENERAL.—Section 101(a) (16 U.S.C.
10 670a(a)) is amended—

11 (1) by striking "is authorized to" and inserting
12 "shall";

13 (2) by striking "in each military reservation in
14 accordance with a cooperative plan" and inserting
15 the following: "on military installations. Under the
16 program, the Secretary shall prepare and implement
17 for each military installation in the United States an
18 integrated natural resources management plan"; and

19 (3) by inserting after "reservation is located"
20 the following: ", except that the Secretary is not re-
21 quired to prepare such a plan for a military installa-
22 tion if the Secretary determines that preparation of
23 such a plan for the installation is not appropriate".

24 (b) CONFORMING AMENDMENTS.—Title I (16 U.S.C.
25 670a et seq.) is amended—

3

1 (1) by striking “cooperative plan” each place it
2 appears and inserting “integrated natural resource
3 management plan”;

4 (2) by striking “cooperative plans” each place it
5 appears and inserting “integrated natural resource
6 management plans”; and

7 (3) by striking “Cooperative plans” each place
8 it appears and inserting “Integrated natural re-
9 source management plans”.

10 (c) CONTENTS OF PLANS.—Section 101(b) (16
11 U.S.C. 670a(b)) is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (C) by striking “and”
14 after the semicolon;

15 (B) in subparagraph (D) by striking the
16 semicolon at the end and inserting a comma;
17 and

18 (C) by adding at the end the following:

19 “(E) wetland protection and restoration,
20 and wetland creation where necessary, for sup-
21 port of fish or wildlife,

22 “(F) consideration of conservation needs
23 for all biological communities, and

1 “(G) the establishment of specific natural
2 resource management goals, objectives, and
3 time-frames for proposed actions;”;

4 (2) by striking paragraph (3);

5 (3) by redesignating paragraph (2) as para-
6 graph (3);

7 (4) by inserting after paragraph (1) the follow-
8 ing:

9 “(2) shall for the military installation for which
10 it is prepared—

11 “(A) address the needs for fish and wildlife
12 management, land management, forest manage-
13 ment, and wildlife-oriented recreation;

14 “(B) ensure the integration of, and con-
15 sistency among, the various activities conducted
16 under the plan;

17 “(C) ensure that there is no net loss in the
18 capability of installation lands to support the
19 military mission of the installation, unless such
20 loss is required to comply with environmental
21 laws or to improve the management of natural
22 and cultural resources;

23 “(D) provide for sustained use by the pub-
24 lic of natural resources, to the extent that such
25 use is not inconsistent with the military mission

1 of the installation or the needs of fish and wild-
2 life management;

3 “(E) provide the public access to the in-
4 stallation that is necessary or appropriate for
5 that use, to the extent that access is not incon-
6 sistent with the military mission of the installa-
7 tion; and

8 “(F) provide for professional enforcement
9 of natural resource laws and regulations;”; and
10 (5) in paragraph (4)(A) by striking “collect the
11 fees therfor,” and inserting “collect, spend, admin-
12 ister, and account for fees therfor.”.

13 (d) PUBLIC COMMENT.—Section 101 (16 U.S.C.
14 670a) is amended by adding at the end the following:

15 “(f) PUBLIC COMMENT.—The Secretary of Defense
16 shall provide an opportunity for public comment on each
17 integrated natural resource management plan prepared
18 under subsection (a).”.

19 (e) REVIEWS AND REPORTS.—Section 101 (16
20 U.S.C. 670a) is further amended by adding after sub-
21 section (f) (as added by subsection (d) of this section) the
22 following:

23 “(g) REVIEWS AND REPORTS.—The Secretary of De-
24 fense shall annually—

1 “(1) review the implementation status of each
2 integrated natural resource management plan in ef-
3 fect under this section; and

4 “(2) submit a report to the Congress on—

5 “(A) whether integrated natural resource
6 management plans are being prepared in ac-
7 cordance with this Act;

8 “(B) the degree to which integrated natu-
9 ral resource management plans are being imple-
10 mented in accordance with this Act; and

11 “(C) the status of integrated natural re-
12 source management plans in meeting the goals
13 and objectives the plans provide for under sub-
14 section (b)(1)(G).”.

15 **SEC. 4. REVIEW OF MILITARY INSTALLATIONS FOR PREPA-**
16 **RATION OF INTEGRATED NATURAL RE-**
17 **SOURCE MANAGEMENT PLANS.**

18 (a) REVIEW OF MILITARY INSTALLATIONS.—

19 (1) REVIEW.—The Secretary of each military
20 department shall, by not later than 9 months after
21 the date of the enactment of this Act—

22 (A) review each military installation in the
23 United States that is under the jurisdiction of
24 that Secretary to determine the military instal-
25 lations for which the preparation of an inte-

1 grated natural resource management plan
2 under section 101 of the Sikes Act, as amended
3 by this Act, is appropriate; and

4 (B) submit to the Secretary of Defense a
5 report on those determinations.

6 (2) REPORT TO CONGRESS.—The Secretary of
7 Defense shall, by not later than 12 months after the
8 date of the enactment of this Act, submit to the
9 Congress a report on the reviews conducted under
10 paragraph (1). The report shall include—

11 (A) a list of those military installations re-
12 viewed under paragraph (1) for which the Sec-
13 retary of Defense determines the preparation of
14 an integrated natural resources management
15 plan is not appropriate; and

16 (B) for each of the military installations
17 listed under subparagraph (A), an explanation
18 of the reasons such a plan is not appropriate.

19 (b) DEADLINE FOR INTEGRATED NATURAL RE-
20 SOURCE MANAGEMENT PLANS.—Not later than 2 years
21 after the date of the submission of the report required
22 under subsection (a)(2), the Secretary of Defense shall,
23 for each military installation for which the Secretary has
24 not determined under subsection (a)(2)(A) that prepara-

1 tion of an integrated natural resource management plan
2 is not appropriate—

3 (1) prepare and begin implementing such a plan
4 mutually agreed to by the Secretary of the Interior
5 and the head of the appropriate State agencies
6 under section 101(a) of the Sikes Act, as amended
7 by this Act; or

8 (2) in the case of a military installation for
9 which there is in effect a cooperative plan under sec-
10 tion 101(a) of the Sikes Act on the day before the
11 date of the enactment of this Act, complete negotia-
12 tions with the Secretary of the Interior and the
13 heads of the appropriate State agencies regarding
14 changes to that plan that are necessary for the plan
15 to constitute an integrated natural resource plan
16 that complies with that section, as amended by this
17 Act.

18 (c) PUBLIC COMMENT.—The Secretary of Defense
19 shall provide an opportunity for the submission of public
20 comments on—

21 (1) integrated natural resources plans proposed
22 pursuant to subsection (b)(1); and

23 (2) changes to cooperative plans proposed pur-
24 suant to subsection (b)(2).

1 **SEC. 5. FEDERAL ENFORCEMENT OF INTEGRATED NATU-**
2 **RAL RESOURCE MANAGEMENT PLANS; EN-**
3 **FORCEMENT OF OTHER LAWS.**

4 Title I (16 U.S.C. 670a et seq.) is amended—

5 (1) by redesignating section 106 as section 110;
6 and

7 (2) by inserting after section 105 the following:

8 **“SEC. 106. FEDERAL ENFORCEMENT OF INTEGRATED NAT-**
9 **URAL RESOURCE MANAGEMENT PLANS; EN-**
10 **FORCEMENT OF OTHER LAWS.**

11 **“(a) NOTICE OF VIOLATION SYSTEM.—**

12 **“(1) IN GENERAL.—**The Secretary of the Inte-
13 rior, in cooperation with relevant State fish and
14 wildlife agencies if appropriate, shall monitor the im-
15 plementation of integrated natural resource manage-
16 ment plans by the Department of Defense under this
17 Act.

18 **“(2) INVESTIGATION OF ALLEGED VIOLA-**
19 **TIONS.—**

20 **“(A) IN GENERAL.—**Upon receipt of infor-
21 mation from any person alleging a violation of
22 this Act, the Secretary of the Interior shall con-
23 duct an investigation and make a finding re-
24 garding the accuracy of the allegation if the
25 Secretary of the Interior has reason to believe
26 that—

10

1 “(i) a military installation is in viola-
2 tion of any requirement under this Act; or

3 “(ii) any officer or employee of the
4 United States (including any commanding
5 officer of a military installation) who is
6 charged with the responsibility for prepar-
7 ing or implementing an integrated natural
8 resource management plan has failed to
9 carry out that responsibility.

10 “(B) ON-SITE INVESTIGATION.—The inves-
11 tigation may include an on-site inspection of the
12 military installation that is the subject of the
13 investigation.

14 “(C) COOPERATION WITH STATE AUTHORI-
15 TIES.—The Secretary of the Interior shall con-
16 duct the investigation in cooperation with the
17 relevant State fish and wildlife agencies, if ap-
18 propriate.

19 “(D) COMPLETION.—The Secretary of the
20 Interior shall complete the investigation within
21 30 days after receiving information that is the
22 basis for conducting the investigation.

23 “(3) REPORT AND NOTICE OF VIOLATION.—

24 “(A) REPORT.—Within 45 days after com-
25 pleting an investigation under paragraph (2),

1 the Secretary of the Interior shall transmit a
2 report on the findings of the investigation to
3 the Secretary of Defense and to relevant State
4 fish and wildlife agencies. The report shall
5 describe—

6 “(i) the nature of any violation by a
7 military installation that the Secretary of
8 the Interior finds has occurred, specifying
9 the particular actions in violation; and

10 “(ii) the nature of any failure by an
11 officer or employee of the United States to
12 carry out a responsibility that the Sec-
13 retary of the Interior finds has occurred,
14 specifying the particular actions taken or
15 failed to be taken that constitute the fail-
16 ure.

17 “(B) NOTICE OF VIOLATION.—The Sec-
18 retary of the Interior shall on the date of trans-
19 mittal of the report issue a Notice of Violation
20 to the Secretary of the military department
21 having jurisdiction over the military installation
22 that is the subject of the investigation to which
23 the report relates, if the Secretary of the Inte-
24 rior determines that—

1 “(i) the military installation is in vio-
2 lation of a requirement under this Act; or

3 “(ii) an officer or employee of the
4 United States has failed to carry out a re-
5 sponsibility for preparing, implementing, or
6 providing financial or personnel resources
7 for an integrated natural resource manage-
8 ment plan under section 101 for the mili-
9 tary installation.

10 “(4) AGREEMENT.—Within 30 days after the
11 issuance of a Notice of Violation under paragraph
12 (3) regarding any violation or failure to carry out a
13 responsibility, the Secretary of Defense, the Sec-
14 retary of the Interior, and a representative of each
15 relevant State fish and wildlife agency shall enter
16 into an agreement specifying appropriate measures
17 to remedy the violation or failure. The agreement
18 shall include—

19 “(A) a detailed description of all violations
20 and failures found by the Secretary of the Inte-
21 rior, including citation of the specific provisions
22 of statute or regulations violated or which es-
23 tablish the responsibilities, respectively;

24 “(B) a detailed schedule for correcting the
25 violations or failures, including actions to be

1 undertaken and deadlines for those actions,
2 which ensures that remedial action shall com-
3 mence within 30 days after the agreement is
4 entered into; and

5 “(C) specification of a date by which, or a
6 schedule within which, the Secretary of the ap-
7 propriate military department shall provide a
8 written response to the Secretary of the Interior
9 regarding plans of the military department for
10 addressing the violations or failures.

11 “(5) ANNUAL REPORTS.—The Secretary of De-
12 fense shall include with each annual report submit-
13 ted under section 101(g)(2)—

14 “(A) a summary of each Notice of Viola-
15 tion received by a Secretary of a military de-
16 partment in the year covered by the report; and

17 “(B) a description of the extent of compli-
18 ance of remedial actions taken under agree-
19 ments under paragraph (4) with the schedules
20 under those agreements for those actions.

21 “(6) FUNDING OF REMEDIAL ACTIONS.—The
22 Secretary of Defense shall consider all remedial ac-
23 tions specified in agreements under paragraph (4) to
24 be Class I projects under Office of Management and
25 Budget Circular A-106.

1 “(b) ENFORCEMENT OF OTHER LAWS.—All Federal
2 laws relating to the conservation of fish and wildlife on
3 Federal lands may be enforced by the Secretary of De-
4 fense with respect to violations of those laws which occur
5 on military installations within the United States.”.

6 **SEC. 6. NATURAL RESOURCE MANAGEMENT SERVICES.**

7 Title I (16 U.S.C. 670a et seq.) is amended by insert-
8 ing after section 106 (as added by section 5 of this Act)
9 the following:

10 **“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.**

11 “The Secretary of each military department shall en-
12 sure that sufficient numbers of professionally trained nat-
13 ural resource management personnel and natural resource
14 law enforcement personnel are available and assigned re-
15 sponsibility to perform tasks necessary to comply with this
16 Act, including the preparation and implementation of inte-
17 grated natural resource management plans.”.

18 **SEC. 7. DEFINITIONS.**

19 Title I (16 U.S.C. 670a et seq.) is further amended
20 by inserting after section 107 (as added by section 7 of
21 this Act) the following:

22 **“SEC. 108. DEFINITIONS.**

23 “In this title:

24 “(1) MILITARY DEPARTMENT.—The term ‘mili-
25 tary department’ means the Department of the

1 Army, the Department of the Navy, and the Depart-
2 ment of the Air Force.

3 “(2) MILITARY INSTALLATION.—The term
4 ‘military installation’ includes—

5 “(A) lands used for military purposes by
6 any military department;

7 “(B) lands used for military purposes by
8 any National Guard or Reserve component of
9 the Department of Defense; and

10 “(C) all public lands withdrawn from all
11 forms of appropriation under the public land
12 laws and reserved for use by the Secretary of
13 Defense or the head of a military department,
14 including lands withdrawn and reserved under
15 the Military Lands Withdrawal Act of 1986.

16 “(3) STATE FISH AND WILDLIFE AGENCY.—The
17 term ‘State fish and wildlife agency’ means an agen-
18 cy of State government that is responsible under
19 State law for managing fish or wildlife resources.

20 “(4) UNITED STATES.—The term ‘United
21 States’ means the States, the District of Columbia,
22 the Commonwealth of Puerto Rico, and the terri-
23 tories and possessions of the United States.”.

1 **SEC. 8. SHORT TITLE.**

2 Title I (16 U.S.C. 670a et seq.) is further amended
3 by inserting after section 108 (as added by section 7 of
4 this Act) the following:

5 **“SEC. 109. SHORT TITLE.**

6 “This title may be cited as the ‘Sikes Act’.”.

7 **SEC. 9. COOPERATIVE AGREEMENTS.**

8 (a) **COST SHARING.**—Section 103a(b) (16 U.S.C.
9 670c–1(b)) is amended by striking “matching basis” each
10 place it appears and inserting “cost-sharing basis”.

11 (b) **ACCOUNTING.**—Section 103a(c) (16 U.S.C.
12 670c–1(e)) is amended by inserting before the period at
13 the end the following: “, and shall not be subject to section
14 1535 of that title”.

15 **SEC. 10. REPEAL.**

16 Section 2 of the Act of October 27, 1986 (Public Law
17 99–651; 16 U.S.C. 670a–1) is repealed.

18 **SEC. 11. CLERICAL AMENDMENTS.**

19 Title I (16 U.S.C. 670a et seq.), as amended by this
20 Act, is further amended—

21 (1) by striking “military reservation” each
22 place it appears and inserting “military installa-
23 tion”;

24 (2) by striking “military reservations” each
25 place it appears and inserting “military installa-
26 tions”;

1 (3) by striking "MILITARY RESERVATION" each
2 place it appears and inserting "MILITARY INSTALLA-
3 TION";

4 (4) by striking "reservation" each place it ap-
5 pears in reference to a military reservation (other
6 than in the term "military reservation") and insert-
7 ing "installation"; and

8 (5) by striking "reservations" each place it ap-
9 pears in reference to military reservations (other
10 than in the term "military reservations") and insert-
11 ing "installations".

12 **SEC. 12. AUTHORIZATIONS OF APPROPRIATIONS.**

13 (a) PROGRAMS ON MILITARY INSTALLATIONS.—Sub-
14 sections (b) and (c) of section 110 (as redesignated by
15 section 5 of this Act) are each amended by striking
16 "1983" and all that follows through "1993," and inserting
17 "1994, 1995, 1996, 1997, and 1998,".

18 (b) PROGRAMS ON PUBLIC LANDS.—Subsections (a)
19 and (b) of that section are each amended by striking
20 "1983" and all that follows through "1993," and inserting
21 "1994, 1995, 1996, 1997, and 1998,".

○

T. J. [unclear]

**TESTIMONY OF CONGRESSMAN ANTHONY C. BEILENSEN
BEFORE THE COMMITTEE ON
MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

NOVEMBER 3, 1993

Mr. Chairman, I appreciate having the opportunity to testify this morning on the need to provide greater protection for the rhinoceros.

As you know, I have long been interested in protecting African wildlife--particularly elephants--and I enjoyed and appreciated working with this committee in our successful endeavor to get congressional approval of the African Elephant Conservation Act a few years ago.

Unfortunately, the rhinoceros, like the elephant, is also a victim of the demand for its valuable parts and the poachers who supply that demand. The rhino is in an even more critical situation than the elephant because of the speed at which its numbers are declining.

There are currently fewer than 10,000 rhinos among all five rhinoceros species combined that live in the wild today. The northern subspecies of white rhinos, which are the most rare, are so few in number--there are only about 30--that it is doubtful that the group has enough genetic diversity to resist disease and the genetic defects that will result from inbreeding.

The statistics which describe the black rhinoceros's disappearance from the wild speak to the urgency of the situation. In 1970, 70,000 black rhinos roamed Africa. In 1980, there were 20,000. Last year, there were fewer than 2,000, and their numbers continue to plummet.

Last week, I met with Dr. Perez M. Olindo, Vice-Chairman of the International Union for the Conservation of Nature and Chairman of the African Elephant Foundation International (AEFI), to discuss rhinoceros conservation efforts in Africa. The situation Dr. Olindo described, particularly in Zimbabwe, is tragic. Just last year, that nation claimed to be home to over 2,000 rhinos, but fewer than 500 were counted this year.

Protection of the rhinoceros, like protection of the elephant, needs to be undertaken on two fronts: first, the market for rhino parts needs to be eliminated, and second, the few remaining rhinos need to be protected in an environment in which the species can thrive.

Rhinoceros poaching is clearly driven by the existence of a large market for rhino horn in Asia and some parts of the Middle East. Rhino horns are valued as a pharmaceutical by practitioners of traditional Chinese medicine, who use them as a headache remedy and

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fever reducer. The strong cultural belief in the rhino's curative powers makes the problem of banning trade in rhino products in China and Taiwan more complicated and difficult than banning trade of ivory products made from elephant tusks, which are valued simply as a luxury item. Although both governments have laws on the books prohibiting imports of rhino horns, and as of this summer have restrictions on domestic use, these laws have not been vigorously enforced, and rhino parts are still openly available in Chinese pharmacies.

There are at least some attempts being made to conserve rhino populations in the wild, but with mixed results. As I mentioned previously, Dr. Olindo and I discussed African wildlife conservation efforts and the lessons learned in the last year or two. I hope that a representative of one of the wildlife conservation organizations will be able to speak about this subject in greater detail at today's hearing, but I would like to share Dr. Olindo's observations with you.

According to Dr. Olindo, one of the most promising techniques for protecting rhinos from poachers--de-horning--has, unfortunately, been less than fully successful. In Namibia and Zimbabwe, nursing female rhinos that have been de-horned have been unable to defend their calves from hyena attacks and, consequently, not a single newborn has survived in those countries this year. In addition, it appears that poachers will still shoot de-horned rhinos. Either they do not take the time to check to see if the animal has a horn or, as some have theorized, poachers are trying to kill off the remaining animals in order to increase the value of stockpiled rhino parts.

Apparently, there has been some success in efforts to form new herds from scattered individual rhinos and remaining members of herds that have been decimated. If they are brought together in suitable habitat with greatly increased security, in time group bonds form and a new herd can be established. Unfortunately, rhinos are all located in developing nations whose economies are not doing particularly well. Those countries simply do not have the resources to undertake this kind of preservation effort on a sufficiently large scale to ensure the recovery of the species.

These programs need international support, and need the leadership of the United States, particularly. In June, the CITES Standing Committee called on all parties to use their influence to constrain the illegal trade in rhino horn, to give support and encouragement to all agencies and countries working toward rhino conservation, and to destroy rhino horn stockpiles. The U.S. has supported that effort, but we need to do more.

As Congressman Fields has suggested, this committee ought to consider developing legislation for the rhinoceros along the lines of the African Elephant Conservation Act. That Act, with only a modest amount of funding each year since 1990, has been remarkably successful in helping to stop the decline of elephant populations. It has provided support for

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anti-poaching programs, and has helped to finance management programs in protected areas which have aided in the recovery of decimated African elephant populations. A similar support program could greatly enhance the chances of saving the rhinos that are still alive in the wild.

More immediately, I believe it would be very helpful if the President would impose sanctions on China and Taiwan for violating the Pelly Amendment. As you know, on September 7th, Interior Secretary Bruce Babbitt certified China and Taiwan as Pelly Amendment violators because of their failure to enforce the ban on trade in rhinoceros parts, and the three of us--you, Mr. Chairman, Mr. Fields, and I--sent a letter to the President requesting that he impose sanctions on those nations as a result. If the President does decide to impose sanctions on China and Taiwan, which he has until November 7th to do, it would put a great deal of pressure on those two nations to improve their enforcement against trade in rhino parts.

Thank you again for giving me the opportunity to express my concern for the survival of the rhinoceros, and to encourage swift action to protect this rare and valuable animal.

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STATEMENT OF LARRY SHANNON, CHIEF, BRANCH OF FISHERIES AND WILDLIFE ASSISTANCE, DIVISION OF FISHERIES, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES, REGARDING H.R. 3300, REAUTHORIZING THE SIKES ACT

November 3, 1993

Mr. Chairman, I appreciate the opportunity to present testimony on H.R. 3300, which amends and reauthorizes the Sikes Act. We support enactment of the legislation. While we defer to the Department of Defense for specific comments on the bill, we do have some minor technical suggestions for improvements which we will share with the Subcommittee staff.

Title I of the Act authorizes the Fish and Wildlife Service to assist the Department of Defense in planning, developing, maintaining, and coordinating fish and wildlife restoration, rehabilitation, and public recreation programs on military reservations. These programs are carried out in accordance with a cooperative plan mutually agreed upon by the Defense installation commander, the appropriate State conservation agency, and the Service.

Similarly, Title II of the law authorizes the development of conservation and rehabilitation programs on lands administered by the Department of Energy, the National Aeronautics and Space Administration, U.S. Forest Service, and the Bureau of Land Management.

The Service's work with the Department of Defense began many years prior to enactment of the original Sikes Act in 1960. Primarily, this work related to fisheries management programs on military installations. The Service responded to requests from base commanders interested in developing recreational fishing on their bases. We provided technical assistance, conducted basic inventories, developed management plans, and provided fish from our hatcheries for stocking ponds, lakes, and streams on military lands.

Passage of the Sikes Act in 1960 formalized the cooperative efforts of the two agencies and, most importantly, gave Congressional recognition to the significant potential for fish and wildlife management and recreation on Department of Defense lands. Subsequent amendments have expanded the authority of the Act to include improving fish and wildlife habitats, protecting threatened or endangered species, and developing multi-use natural resource management plans.

The Department of Defense controls almost 25 million acres, including 19 million acres manageable as habitat for fish and wildlife. These lands provide excellent hunting, fishing and non-consumptive wildlife recreational opportunities.

A recent cooperative effort between the Service and the Department of Defense, under authority of the Sikes Act, has proven very successful in enhancing, protecting, restoring, and developing waterfowl and associated wetland species habitat in or near Joint Venture areas associated with the North American Waterfowl Management Plan. The Service prepared or updated management plans on 13 military installations and the military has begun to implement these plans in New York, Maryland, Virginia, North Carolina, South Carolina, Louisiana, Texas, Indiana, and Ohio.

For every dollar of the \$400,000 the Service spent in developing plans, the military spent four (\$1,600,000) implementing them. This has resulted in over 8,000 acres of wetland habitat being enhanced, protected, developed, or restored. We are presently negotiating with the Department of Defense to renew and expand on this pilot venture.

Technical fish and wildlife management assistance is provided on a cost- reimbursable basis to over 240 military installations. Over the last 3 years, the military has reimbursed the Service over \$7,000,000 for inventorying fish and wildlife species and their habitat, developing management plans, and stocking ponds, lakes, and streams.

Hanscom Air Force Base, Bedford, Massachusetts, is an example of the close cooperation between the Service and the military where fish have been stocked for recreational purposes. Other examples include ongoing studies involving effects of contaminants on waterfowl and other migratory birds at Fort Richardson, Adak Naval Air Station, and Shemya Air Force Base, all in Alaska.

New agreements have recently been signed between the Service and installation representatives at Lakehurst Naval Air Station and Picatinny Arsenal, New Jersey, that include developing recreational fishing programs. These efforts also extend into Pennsylvania at Letterkenny, Tobyhanna, and New Cumberland Army Depots. Fish and wildlife management assistance cooperative efforts at Fort Carson and Pinon Canyon, Colorado, include population inventories and renovating rangeland habitat following military training exercises.

On the West Coast the Service is working to improve recreational use of selected base waters at Camp Pendelton Marine Corps Base, California, by conducting hydrological and biological sampling. Fishery management plans will be developed after studies are

completed. Additionally, Bangor Submarine Base, Washington, is cooperating in conducting habitat surveys and developing fishery management plans to restore coastal coho salmon in Puget Sound.

Efforts to manage fish and wildlife species on military land have not been limited to recreational use. Fort Carson has been very active in participating in the recovery of the threatened greenback cutthroat trout. These greenbacks are produced and reared in streams and ponds on Fort Carson for use by the Service for restoration projects on other Federal lands. Additionally, Fort Bragg and Camp Lejeune, North Carolina, and Elgin Air Force Base, Florida, have expended considerable effort to protect habitat for the red-cockaded woodpecker.

I use all these examples to illustrate how past cooperation between the Service and the Department of Defense has enhanced the professional management of fish and wildlife on military lands. The Service will continue to provide this assistance on a cost-reimbursable basis. With appropriate planning and assistance, military lands can be developed and managed on an ecosystem or watershed basis for fish, wildlife, and other natural resources in ways that are compatible with the military mission of the installations. We look forward in continuing to participate with the Department of Defense natural resource managers and State agencies in maximizing fish and wildlife management potential on military lands.

Mr. Chairman, we appreciate the opportunity to share with the Committee this information on the significant opportunities provided under authority of the Sikes Act.

FROM THE DESK OF

RICHARD LITTELL

December 2, 1993

Gina DeFerrari or
Marv Zeeb

This document, Zimbabwe: At The Leading Edge of Conservation, is submitted for inclusion in the record of the House Merchant Marine and Fisheries Committee, Subcommittee on Environment and Natural Resources' November 3, 1993 hearing on measures to conserve Rhinoceros.

The document responds to Zimbabwe: Driving Wildlife To Extinction, a document submitted for the record of that hearing by the Humane Society of the United States.

On November 4 the subcommittee staff gave the Zimbabwe interests permission to file the attached document by December 3.

Richard Littell
Tel. 202/466-8260

ZIMBABWE: AT THE LEADING EDGE OF CONSERVATION

A response to the report by

The Humane Society of the United States
and Humane Society International

dated October 7th, 1993, and entitled

"ZIMBABWE: DRIVING WILDLIFE TO EXTINCTION"

Produced by

**The Department of National Parks and Wild Life
Management of Zimbabwe**

20th November 1993

Endorsed by the following conservation groups in Zimbabwe:

**The Africa Resources Trust, The CAMPFIRE Association,
The Wildlife Society, The Zambezi Society, The Zimbabwe
Association of Tour and Safari Operators, The Zimbabwe National
Conservation Trust, The Zimbabwe Trust.**

Introduction

The document entitled "Zimbabwe - Driving Wildlife to Extinction", produced by the Humane Society of the United States and the Humane Society International (HSUS/HSI), is full of falsehoods and inaccuracies.

Normally, publications of this quality are ignored, but the way in which this report is being used may adversely affect rhinoceros and elephant conservation, not only in Zimbabwe, but elsewhere, and a response is appropriate.

The principal aim of this rebuttal is to highlight the many incorrect statements and to juxtapose these with the verifiable truth. However, another characteristic of the report is the way that perfectly accurate information is presented in a manner that creates the impression that wildlife management in Zimbabwe has sinister motives. It is therefore appropriate to introduce this response with an unequivocal statement of Zimbabwe's conservation philosophy and policy. The Zimbabwe Government —

1. Grants legal authority to landholders to manage and benefit from their wildlife;
2. Encourages the sustainable use of wildlife to give it a high financial value (Strictly regulated, this use may be consumptive as well as non-consumptive).

This approach does represent a departure from traditional preservationist approaches to conservation in Africa. It springs from the recognition that the main threat to wildlife in Africa is not over-exploitation (though it is important to some species), but the loss of the wild lands that comprise its habitat. Land is increasingly scarce in Africa and, throughout the continent, expanding rural populations face a choice - keep wild habitats or clear them away for agriculture. Of course, to hungry people this has not proved much of a choice. By giving wildlife an economic value the balance can be tipped the other way. In Zimbabwe both commercial farmers and rural folk have, of their own volition, chosen to keep wild lands and its wild animal populations. Why? Because they make more money from wildlife than they do from crops.

Zimbabwe is at the leading edge of conservation in Africa. As a reflection of this, it is clear that while East African elephant populations have declined dramatically, the Zimbabwe elephant population has increased. Many believe that Zimbabwe's one conspicuous failure, in which black and white rhinos have been decimated, occurred precisely because Zimbabwe accepted a preservationist approach towards these species. Had these animals had a legal value to the rural poor on whom their survival depended, they might not have been killed illegally and unsustainably.

This background may explain the motivation behind the HSUS/HSI document. Since these organisations are fundamentally concerned with animal welfare, and not conservation, it is understandable that they are opposed to the consumptive use of wild animals, whatever the benefits. Since Zimbabwe is at the leading edge of conservation through sustainable use, it is in the interests of HSUS/HSI to denigrate Zimbabwe's achievements.

DETAILED RESPONSE TO THE MANY BASELESS ALLEGATIONS AND INSINUATIONS MADE BY HSUS/HSI

HSUS/HSI STATEMENT

P.1 "civil unrest" (an implication that there is civil unrest in Zimbabwe)

FACT

False

There has been no civil unrest in Zimbabwe since the Unity Accord of December 1987. The US Embassy advises its citizens that Zimbabwe is one of the most stable nations in Africa.

False

Zimbabwe closely cooperates with its neighbours in wildlife matters. Zimbabwe and Mozambique are working together to coordinate wildlife management in the south of Zimbabwe.

Zimbabwe and Botswana have recently completed simultaneous counts of their shared elephant population and are developing a joint management plan for the species in line with the IUCN's draft guidelines for sustainable use.

Zimbabwe has been exchanging information on cross-border poaching incidents with Zambia's Anti-corruption Commission for many years and has tried to enter into a bilateral extradition arrangement with Zambia. Zimbabwe has made the appropriate designations so that this arrangement is functional, but unfortunately Zambia has failed to reciprocate so far.

Zimbabwe is a founder member of SACIM, a legal treaty signed by Botswana, Malawi, Namibia, and Zimbabwe to manage elephants and coordinate trade in their products.

Zimbabwe has recently held high-level meetings with South Africa to coordinate wildlife management.

P.1 "Zimbabwe, thought to be a stronghold for black rhinos lost 1500 in just the past year"

False

A report by TRAFFIC International shows that the last comprehensive survey, in 1989, indicated a population of 2138 black rhino. In 1991, based on reports of poaching levels, Zimbabwe offered population estimates ranging from 1,400 to 2095. From the results of the dehorning exercise Zimbabwe tabled a new estimate (probably the most detailed in Africa) of 430 animals in November 1992. This has subsequently been reduced to about 350 - 400. So about 1700 have been lost in four years and 30 - 70 in the past year.

P.2 When the last rhino is killed, the value of horn stockpiles will be immense.

This is pure speculation and dependent on some sort of "conspiracy theory". The forces driving the price of horn are poorly understood.

P.2 "Zimbabwe is also defying CITES by maintaining its Government rhino horn stockpile."

False

CITES Resolution Conf. 6.10 only recommends that rhino stocks be destroyed, and then only when supporting contributory funds from external sources are provided. Zimbabwe is under no international legal obligation to comply and believes that there would be no conservation benefit from doing so. Similar stocks are held by most other African and Asian countries that have, or used to have rhino.

P.2 "But the only way to stop rhino poaching is to destroy the market for horn for once and for all"

Speculation

HSUS/HSI are welcome to their opinion, but this is pure speculation. CITES has been unable to stop the illegal trade after almost 20 years of a complete trade ban. Zimbabwe and several countries in southern Africa (which are home to over 90% of Africa's remaining rhino) believe that the reintroduction of legal international trade in rhino horn could stop poaching. A growing body of literature and editorial comment supports the suggestion that this approach may be valid and needs investigation.

P.2 "the world's population of African elephants was slashed by more than half, from 1.3 million to less than 600,000."

False

The estimates of elephant numbers used in 1989 to call for a ban on the ivory trade were blatantly inaccurate and widely disputed, and yet HSUS/HSI continue to use these figures as if they are fact. Elephant population declines were exaggerated. Re-estimates of Zaire's elephant populations, using new techniques, resulted in 300,000 elephants disappearing overnight - reassessed as having never existed in the first place. But these animals were included in the estimate for Africa's total. Kenya's 1989 estimate of 16,000 jumped by over 60% to 26,000 in just 3 years following the ban as a result of "improved" census methods. Nevertheless, considerable numbers of elephants do appear to have been lost in several countries of central and eastern Africa.

P.2 "The cause [of the decline] was the legal trade in elephant ivory, and poaching of elephants for their ivory"

Misleading

A major and ongoing cause for the decline of the African elephant is habitat loss. Before the worst spate of poaching, Kenya may have had 160,000 or more elephants. Do HSUS/HSI really believe that a return to this figure is possible - that there is room enough for this many elephants now?

P.3 "Despite the decline and disappearance of elephant populations across the African continent"

False

Elephant populations are not declining across the African continent. Even at the time of the ban elephants were stable or increasing in South Africa, Namibia, Botswana, Zimbabwe and possibly in other countries.

P.3 Zimbabwe "proposed to reopen the legal international ivory trade at the 1992 CITES meeting. This proposal was soundly rejected by CITES".

False

This reflects a fundamental misunderstanding of the position of the ivory trade under CITES. In fact, legal international ivory trade remains open as a number of countries, Zimbabwe included, are excluded from the ban as a result of their Reservations (an opt out clause). These countries may legally trade in ivory with each other or with non-CITES countries (of which there are about 50) at any time. The final joint proposal from Botswana, Malawi, Namibia and Zimbabwe, submitted for consideration by the Parties to CITES in 1992, proposed to downlist some populations of the African Elephant to CITES Appendix II, but specifically excluded ivory from trade. Had it been accepted, the southern African Reservations on the elephant would have been dropped and there would truly have been an international ban on the ivory trade. The proposal was not rejected by CITES. It was withdrawn by the proponents after an assessment of its chances of success.

P.3 Zimbabwe operations "kill thousands of elephants every year."

False

There has been no elephant population reduction exercise approaching 1000 animals since 1988, when 2861 were taken off. From 1988 until 1991 only 436 elephants were removed. In 1992 a few hundred were culled during the drought, but over 700 were captured and moved to new areas opened up to elephant as a result of new consumptive wildlife use policies. In fact, several thousand elephants should have been taken off to save forests and woodlands from the damage caused by overpopulation, but the Wildlife Department's budget, cut as a result of the drought, did not stretch to these activities.

P.3 "At the March 1992 CITES meeting, Zimbabwe claimed to have approximately 2000 black rhino and 370 white rhino"

P.3 "Zimbabwe used these figures to justify its CITES proposals to allow trade in black and white rhino horn to resume."

P.3 "Zimbabwe's most visible rhino protection program has been to dehorn all of its rhino"

P.3 "dehorning is doing nothing to protect rhinos from poachers."

Misleading

This is correct, but it was stated at CITES that Zimbabwe feared that all of its rhino could be lost before the next Conference of the Parties. It is notoriously difficult and expensive to count rhino, especially black rhino. Revised estimates were made possible by the dehorning program and show a horrific rate of poaching (despite Zimbabwe's internationally renowned effort to combat the poaching tide in which at least 167 poachers have been killed and 89 captured with the loss of four departmental staff).

False

Zimbabwe has never used the number of rhino in themselves to justify trade in horn. The principal argument is that conventional methods of conservation are failing in Africa and Zimbabwe believes that wild species must be made more valuable to Africa's rural folk so that they can gain legal benefit from their existence.

Misleading

Arguably, the most visible action has been the killing of over 167 poachers in a protection strategy that has patently not been successful. Dehorning was introduced as a last-ditch, emergency measure.

Misleading

With respect to rhino dehorning as a conservation strategy, the following is relevant:

- a) Rhino horn regrows and for dehorning to be effective it has to be repeated every 12 months. Over 70% of the dehorned rhino that have been killed so far had about 18 months of regrowth - equivalent to the natural horn of a juvenile rhino.
- b) Dehorning is part of a cost-benefit conservation strategy. Dehorning reduces the benefits to the poacher, but the costs (anti-poaching activities) must be kept high. Unfortunately, largely as a result of fiscal constraints resulting from the drought, Zimbabwe's Wildlife Department ran out of funds to maintain field operations in key areas. From January until May no patrols were able to operate in remote areas. In that time a large number of dehorned rhino with 18 months of regrowth were poached. The benefits were low, but the costs had been reduced to zero.
- c) There is evidence that poachers have refrained from killing dehorned rhino in Hwange and Matopos when they had the clear opportunity to do so.

P.4 "dehorning allows the government of Zimbabwe to get the horn before the poachers do."

Misleading

Rhino are not dehorned so that the Zimbabwe can get the horn, but to make the rhino unattractive to poachers and deny them their reward. The stockpile is simply a bi-product of this management strategy.

P.4 Zimbabwe "does not spend a dime of its own on the inhumane and useless dehorning program."

False

Zimbabwe invests heavily in its wildlife conservation (more heavily in terms of GDP than the USA), including rhino protection and dehorning. The Zimbabwe Government provides personnel, field allowances, vehicles and aircover for the whole Parks and Wild Life Estate, which covers more than 12% of the country. The budget allocation for the Department of National Parks and Wild Life Management in 1993 was approximately US\$ 6.0 million. It is notable that HSUS/HSI have spent little or none of their considerable funds on rhino conservation. In their own report they offer of US\$5000 to Zimbabwe. The reported income of HSUS in 1989 was in excess of US\$13 million.

It is a matter of opinion as to whether dehorning is inhumane. International wildlife veterinarians and biologists have judged that the process is not unduly intrusive, but animal rights groups certainly do hold the opinion that the rhino would be better dead than subjected to this form of management. As to the effectiveness of dehorning, Zimbabwe believes that dehorning is a highly effective conservation measure when adequate funds are available for complimentary anti-poaching activities.

It should be noted that one of the authors of the HSUS/HSI report was a member of a working group, formed by the CITES Animals Committee to identify measures that needed to be taken for *in situ* rhino conservation. Amongst other things, the group identified both sport hunting and "the acceptance of dehorning safaris" as immediate, viable options.

Finally, dehorning is standard and a necessary humane measure when rhino are captured from remote areas, where they cannot be protected, and moved to Conservancies, or the Intensive Protection Zones for which the HSUS/HSI offered financial support (Appendix IV of their own report).

P.4 "Tragically, the translocation of rhinos to conservancies is just as ineffective as dehorning in protecting rhinos".

P.4 "The game ranchers are amateurs when it comes to protecting the wildlife on the ranch."

P.4 "the relocation of rhinos to conservancies by the Government, and the management of rhinos on conservancies, are basically "entertainment" spectacles driven by politics"

P.5 "1) Zimbabwe has far fewer rhino than it has claimed; 2) neither dehorning nor translocation to conservancies are providing any real protection for rhinos; 3) Zimbabwe's rhino "protection" programs are little more than a way to attract foreign currency; and 4) Zimbabwe is stockpiling horns from dehorning operations in the hopes that their efforts to legalize the international trade will pay off."

Misleading

HSUS/HSI seem to have confused Conservancies with game ranches. Conservancies are groupings of privately owned game ranches that are committed, under Government guidance, to rhino conservation. There are also several individual ranches that have rhino, but these are not part of the overall conservancy strategy. A report recently published by the TRAFFIC network stated that "the privately owned Save and Bubiana Conservancies in Zimbabwe are potentially the best models in Africa." The three established conservancies (Save, Bubiana and Chiredzi River) have not experienced any rhino poaching for over two years and their founder stock, introduced during 1986-1988, has increased by between 38% and 86%.

Misleading

Private game ranches have dramatically increased in number in Zimbabwe in recent years, as the sustainable use of wildlife has managed to displace cattle on an economic basis. Ranches and their staff vary greatly in their experience of wildlife management. The Conservancies employ professional staff to protect their rhino.

False

Rhino Conservancies in Zimbabwe are a well-planned conservation measure that is supported by all mainstream international conservation organisations including the WWF and the World Conservation Union (IUCN). They follow, and hopefully improve upon, the model developed in Kenya.

False/Misleading

- 1) Zimbabwe has always been the first to acknowledge rhino losses. Accurate estimates of rhino numbers have been provided since the dehorning programme was introduced in 1992.
- 2) Both dehorning and Conservancies are effective conservation measures when employed with sound *in situ* conservation measures.
- 3) Zimbabwe's rhino protection programmes are, and have been, well planned and effective when adequately funded. It must be remembered that countries such as Kenya, Tanzania and Zambia had already lost almost all their rhino by the early 1980s. Zimbabwe managed to stem the poaching tide for 10 years while funding allowed.
- 4) Zimbabwe certainly is stockpiling horn and maintains that conventional approaches to rhino conservation are doomed to failure, and if they are not revised, the rhino to extinction in the wild. The best way to deal with the rhino horn trade may be to reintroduce a sustainable, legal supply. Zimbabwe is calling for this option to be discussed and fully researched.

P.5 "Zimbabwe manages its elephants, like its other wildlife, for consumptive use."

P.5 "Aerial surveys, population estimates, official government pricing of ivory, and management practices are designed to provide a lucrative source of foreign currency for the Government."

P.5 "game scouts did not support the Parks Department claims that there was an elephant population problem".

P.6 "One ecologist working at Hwange National Park stated"....."The [people] fly over the water holes, between 4:00 and 6:00 PM, and count all the elephants who come in to drink. And then [they] extrapolate for the whole damn park."....."Hwange has deep ravines and strong Mopani tree growth".

Misleading

Zimbabwe manages its elephants and other wildlife ecologically and sustainably to give economic incentives for conservation. Uses may be consumptive or non-consumptive. The value of this approach is evident as only in Zimbabwe and a few other countries with similar policies did elephant populations increase while those of other nations declined. Similarly, in Zimbabwe the amount of land set aside for wildlife is increasing while it is drastically diminishing in countries which follow animal protection policies.

Misleading

The impression given here is that surveys and population estimates are designed to produce biased results. This is particularly offensive to the many professional ecologists who have been involved in Zimbabwe's wildlife management programmes. The motivation for surveys varies. In some cases it is to monitor population trends or distribution to assist protective activities. In other cases, estimates allow sustainable off-takes to be calculated to provide benefits to local people, private landholders and/or the Government, including important foreign currency. It is notable that many of Zimbabwe's surveys and wildlife population estimates are undertaken by the World Wide Fund for Nature (WWF).

Misleading

Zimbabwe counts elephants according to the internationally and scientifically accepted method - stratified aerial sampling. It is commonly found that this methodology is misunderstood by game scouts and many others. As a result, the results are often disputed by those "on the ground". Unfortunately, ground surveys, however, systematic cannot compare with aerial surveys for accuracy. It is significant to note that the documents used by HSUS/HSI state that all heads of station recommended "mini-culls", in one case of 80 elephants.

False

This ecologist clearly knows nothing about the way Zimbabwe counts its elephants and is completely unqualified to comment. The following errors are made -

- (i) Elephants are not counted at water holes in the afternoon. Transects are flown across the whole Park, mostly in the mornings to provide standardized sample counts.
- (ii) Hwange is about the flattest place in Zimbabwe and has no deep ravines. Mopani woodland covers only about 22% of the Park - ironically the mopani around Sinamatella is particularly badly damaged.

P.6 "the official margin of error for elephant population estimates based on aerial surveys is plus or minus 95 percent." .

False

The margin of error is not $\pm 95\%$. The estimates have 95% confidence intervals, which in 1992 were 22%. In other words the official 1992 estimate of approximately 36,000 elephants for Hwange National Park, with confidence intervals of 22%, means that it is possible to be 95% confident that the true number of elephants falls between 28,000 and 44,000.

P.6 "you'll get 37,000 elephants by extrapolation, but the truth is not even half of that."

False

The Wildlife Society counts elephants and other animals that come to water holes during a 24 hour period. In 1992, the observers counted 12,000 elephants at about 110 water holes in a small portion of the National Park. The true number is clearly much larger than this and this ground verification adds confidence to the estimates from aerial survey.

P.6 "All scientific surveys are suspect in this country because they have a number they want to take [by culling] and the survey has to justify that number"

False

Zimbabwe's wildlife surveys are recognised as amongst the best in Africa, and in any case a large portion of the country's surveys are undertaken by the World Wide Fund for Nature. In 1992 the CITES panel of experts which visited Zimbabwe reported that there was no reason to doubt the number of elephants in Zimbabwe.

P.7 "There is simply no reliable evidence that elephants are so abundant that they are destroying their habitat beyond what is normal for herbivores of that size."

Misleading

Elephants are not destroying their habitat beyond what is normal for herbivores of their size, but the normal rate at their current densities is too high and will change woodland to grassland, changing whole ecosystems and reducing biodiversity. Tree losses of 20% and more have been measured even when elephants were only at average densities of 1/km². Fire and drought are contributory in some circumstances and act together in a complex manner. Zimbabwe is determined to maintain its woodlands and forest which take centuries to regenerate and reduces elephants consistent with the precautionary principle.

P.6/7 "which provides details of a Government deal to feed elephant meat to crocodiles. Zimbabwe can essentially circumvent" [CITES]

Misleading

The HSUS/HSI report presents a document dated 1986, 7 years old. The regular feeding of elephants to captive crocodiles ended in 1988 and in any case, the elephants were part of a scientifically derived off-take quota to protect woodlands. Very occasionally, some of the meat from elephant culling is still fed to crocodiles when this is judged to be the most efficient option. Crocodile ranches were established by the government as the lynch-pin of crocodile conservation in Zimbabwe, giving wild crocodiles a conspicuous economic value. This approach is so successful that there are probably more wild crocodiles than ever before. The programme is approved by CITES, WWF, IUCN and has been copied throughout Africa.

P.7 "Over 30 tonnes of ivory is stored at the National Parks Headquarters the vast majority of the stored ivory is from the thousands of government-culled elephants."

P.7 "A high ranking deputy minister in the Zimbabwe Government, as well as a second independent source, told the HSUS/HSI investigation team that the actual amount of money obtained for the 1989 ivory sale was over Z\$ 8 million (about US\$ 1.3 million). What happened to the missing 1 million dollars? It probably is lining the pockets of corrupt government bureaucrats."

P.7 "Most of the US\$ 83 million Zimbabwe earned from its National Parks is not going back into operation of the Park or protection of its wildlife."

P.8 "the HSUS/HSI investigation team indicated that everyone is hoarding tusks"

Misleading/false

There were nearly 31 tonnes of ivory in stock as of August 1993 and the amount in store increases continuously, as it does throughout Africa. South Africa, Namibia, Tanzania, Sudan, Uganda and Ethiopia, to name a few, all have significant ivory stockpiles. The August stock in Zimbabwe comprised only 3119 tusks (just over 1500 elephants). Most was from natural mortality and problem animal control. More than 30% belonged to rural communities under the CAMPFIRE programme.

Unsubstantiated

Who are these people? All ivory sales are audited and accounted for in minute detail. If HSUS/HSI believes it has genuine information of fraud or corruption they are challenged to present it to the Zimbabwe authorities and the CITES Secretariat.

At the same time, the HSUS/HSI could provide details of their "investigation" undertaken prior to the 1992 CITES Meeting where, by their own admission, they appear to have broken Zimbabwe's wildlife laws by using firearms within a National Park.

False

In 1992, the gross earnings of the wildlife industry throughout Zimbabwe (including tourism) was about Z\$ 650 million (approximately US\$ 100 million). Only about Z\$ 14 million accrued to Government, but the Government gave the wildlife department a budget of Z\$ 36 million. It is notable that the IUCN has recently reported that Zimbabwe spends about 0.60% of its GDP on protected areas and wildlife - the USA spends 0.15%.

False

This is the ultimate slide into cant and nonsense; it is clearly impossible for everyone to be hoarding tusks. Indeed, there is no evidence that anyone is hoarding tusks (other than the Government).

P.8 "Ironically, while Zimbabwe begs the international community to help it protect its rhinos and elephants, the activities of the government are encouraging poaching"

False

The Zimbabwe government is not asking for help to protect its elephants, but to reduce their populations. This year the US Fish and Wildlife Service has provided assistance to move elephants from Gona-re-Zhou National Park and the assistance is appreciated. Zimbabwe is certainly asking for help in protecting rhino, and is grateful for all the help it receives. However, there is a widely held point of view that the international community has an obligation to help having taken the responsibility of preventing Zimbabwe from managing its rhino as it sees fit.

It is not clear why the government of Zimbabwe is encouraging poaching. Over 160 poachers have been killed in recent years which would hardly seem encouraging. Most of the poachers killing elephant are from Zambia, so it is hard to see how they would benefit from a resumption of legal ivory trade from Zimbabwe. These arguments are the bread and butter of animal protection groups.

Recommendations

The recommendations from HSUS(HSJ) are noted, as is the obvious competence in their formulation. They are taken in the spirit they were offered.

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